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- 1 Introduced by Mr. Baldwin, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to the operation of aircraft.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The word "aircraft" as used in this Act
3 means any airplane, hydroplane, seaplane, dirigible, balloon, or other appa-
4 tus carrying one or more persons into or through the air and which is propelled
5 by power or a motor contained in the apparatus.

6 "Corporate limits of a city, village or incorporated town" means the land
7 or water within the corporate limits and the air over such land and water.

Sec. 2. No person shall operate any aircraft within the corporate limits of
2 any city, village or incorporated town of this State.

Sec. 3. No person shall operate any aircraft at a height of less than 3,000
2 feet above the ground, except at the beginning and end of a flight.

Sec. 4. Every person who violates any provision of this Act is guilty of a
2 misdemeanor and shall be punished by a fine of not less than \$50.00, nor more
3 than \$200, or by imprisonment in the county jail for not more than thirty
4 days, or by both such fine and imprisonment.



- 1 Introduced by Mr. Stubbles (by request), March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act in relation to the regulation of the business of auctioneering.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* After the first day of October, 1921, no
3 person shall engage in the business of auctioneering for hire without a certifi-
4 cate of registration as a registered auctioneer, issued by the Department of
5 Registration and Education as provided by this Act.

Sec. 2. The business of auctioneering consists in conducting public com-
2 petitive sales.

Sec. 3. A person is qualified to receive a certificate as a registered auc-
2 tioneer:

- 3 1. Who is at least twenty-one years of age;
- 4 2. Who is of good moral character and temperate habits;
- 5 3. Who has either followed the vocation of auctioneer continuously for
6 at least one year in this State or in other states, or who has completed a course

7 of study in a school of auctioneering, inspected and approved by the Depart-
8 ment of Registration and Education, or who has served as an apprentice for
9 one year under a practicing auctioneer; and

10 4. Who has passed an examination conducted by the Department of Reg-
11 istration and Education to determine his fitness to receive a certificate as a
12 registered auctioneer.

Sec. 4. Every person who desires to obtain a certificate of registration
2 shall apply to the Department of Registration and Education, in writing, upon
3 blanks prepared and furnished by that department. Each application shall con-
4 tain proof of the particular qualifications required of the applicant, shall be
5 verified by the applicant under oath, and shall be accompanied by the re-
6 quired fee.

Sec. 5. The Department of Registration and Education shall hold exam-
2 inations of applicants at such times and places as it may determine.

3 The examination of applicants for certificates of registration as registered
4 auctioneers may include both practical demonstrations and written and oral
5 tests and shall embrace the subjects usually taught in schools of auctioneering,
6 approved by the department.

7 Whenever the provisions of this act have been complied with, the Depart-
8 ment of Registration and Education shall issue a certificate of registration as
9 a registered auctioneer.

Sec. 6. Every registered auctioneer who continues in the business of auc-
2 tioneering shall, annually, on or before the first day of April, renew his certifi-
3 cate and pay the required renewal fee. Every certificate of registration which
4 has not been renewed during the month of April in any year shall expire on the
5 first day of May, in that year. A registered auctioneer whose certificate has
6 expired may renew it by payment of the renewal fee.

Sec. 7. Upon payment of the required fee, an applicant who is an auctioneer, licensed or registered under the law of another State or territory of the United States, or of a foreign country, may, without examination, be granted a certificate of registration as a registered auctioneer by the department, in its discretion upon the following conditions:

1. That the applicant is at least twenty-one years of age;
2. That he is of good moral character and temperate habits; and
3. That the requirements for the licensing or registration in the particular state, territory or foreign country were at the date of the license substantially equal to the requirements then in force in this State.

Sec. 8. The fee to be paid for an examination to determine his fitness to receive a certificate of registration is ten dollars (\$10.00).

The fee to be paid for a certificate of registration is fifteen dollars (\$15.00).

The fee to be paid for the renewal of a certificate of registration is five dollars (\$5.00).

Sec. 9. The Department of Registration and Education may adopt reasonable rules and regulations relating to the enforcement of the provisions of this act.

Sec. 10. Whoever violates the provisions of Section 1 of this Act is guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars (\$10.00) and not more than fifty dollars (\$50.00), or by imprisonment for not less than thirty days nor for more than six months or by both fine and imprisonment.

The wilful making of any false oath or affirmation as to a material fact in an application for a certificate of registration as a registered auctioneer, is perjury and punishable as such.

Sec. 11. The provisions of this Act do not apply to sheriffs, constables,
2 masters in chancery or other officials of any court who while in the course of
3 their duties, conduct public competitive sale. Nor do they apply to persons
4 serving as apprentices who assist in conducting public competitive sales if such
5 services are under the personal supervision of a duly registered auctioneer.



- 1 Introduced by Mr. Hill, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 16 of "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 16 of "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920, is amended to read as follows:*

Sec. 16. When upon any public highway in this State, during the period from one hour after sunset to sunrise, every motor bicycle shall carry one lighted lamp and every motor vehicle two lighted lamps showing white lights, or lights of a yellow or amber tint, visible at least two hundred (200) feet in the direction toward which each motor bicycle or motor vehicle is proceeding, and shall also exhibit at least one lighted lamp which shall be so situated as to throw a red light visible in the reverse direction. The number plate at the back of the motor vehicle provided for in section 14 shall be firmly attached to the vehicle, so

9 that it will not swing loosely, and shall be so lighted that the numbers on said
10 plate shall be plainly legible and intelligible at a distance of fifty (50) feet. On
11 approaching another vehicle proceeding in an opposite direction, and when
12 within not less than two hundred and fifty feet of same, any person in charge of a
13 motor bicycle or motor vehicle equipped with electric headlight or headlights,
14 shall dim or extinguish such headlight or headlights. The provision herein con-
15 tained in regard to dimming or extinguishing of headlights shall not apply when
16 such headlights are equipped with an anti-glare device or lenses which prevent
17 a glaring or dazzling light. During the period from one hour after sunset to
18 sunrise every motor bicycle or motor vehicle which is standing on any road, high-
19 way or street shall display a light on the front and at the rear of the same. *How-*
20 *ever, any city, town or village may, by ordinance, under rules and regulations*
21 *it may prescribe, designate any part or parts of any street, or other highway*
22 *therein, as parking places in which motor bicycles and motor vehicles may be*
23 *parked without having their lamps lighted, as otherwise required by this section.*
24 *Such parking place or places shall be lighted, or shall be so situated that persons*
25 *using such streets or highways are not inconvenienced thereby.*

Sec. 2. This amendatory Act shall be effective January 1, 1922.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 327

1921



1 Adopted May 12, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 327 on page two, lines 24 and 25 by striking
2 the words "or shall be so situated that persons using such streets or highways
3 are not inconvenienced thereby."



- 1 Introduced by Mr. Marinier, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to cleansing, repairing and papering of dwelling houses and
apartments which are leased or rented to tenants.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Any person who owns a dwelling house
3 or apartment which is leased or let to tenants shall, each time such house or
4 apartment becomes vacant and before new tenants are permitted to occupy the
5 premises, thoroughly cleanse all painted or varnished surfaces within the house
6 or apartment, by washing such surfaces with a soap solution and then rinsing
7 such surfaces with clean water. Whenever painted or varnished surfaces within
8 any such house or apartment are to be papered or calcimined, such surfaces
9 shall be cleansed in the manner described above, before wall paper or calcimine
10 shall be applied. Before any papered or calcimined surfaces within any such
11 house or apartment shall be re-papered or re-calcimined, all old paper or calci-
12 mine shall be removed and all cracks and crevices in the plastered surfaces
13 and all crevices between building trim and the wall surfaces shall be filled with

14 plaster paris or other suitable composition, in a clean and workmanlike manner,
15 and the surfaces washed before wall paper or calcimine is applied.

Sec. 2. Ever person who violates any provision of this Act is guilty of a
2 misdemeanor and shall be fined not less than fifty dollars (\$50.00) nor more than
3 two hundred dollars (\$200.00).



- 1 Introduced by Mr. Green, March 9, 1921.
- 2 Read by title. ordered printed and referred to Committee on Education.

A BILL

For an Act changing the name of the Eastern Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Eastern Illinois State Normal
3 School located at Charleston, Illinois, shall, after the passage of this Act, be
4 known as the "Eastern Illinois State Teachers College at Charleston"; and
5 under that name and title shall have, possess, be seized of and exercise all
6 rights, privileges, franchises, powers and estates which have hitherto belonged
7 to said Eastern Illinois State Normal School.

Sec. 2. Whereas, an emergency exists, therefore, this Act shall take effect
2 and be in force from and after its passage.





- 1 Introduced by Mr. Pace, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act changing the name of the Western Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Western Illinois State Normal
3 School located at Macomb, Illinois, shall, after the passage of this Act, be known
4 as the “*Western Illinois State Teachers College at Macomb*”; and under that
5 name and title shall have, possess, be seized of and exercise all rights, privi-
6 leges, franchises, powers and estates which have hitherto belonged to said West-
7 ern Illinois State Normal School.

Sec. 2. Whereas, an emergency exists, therefore, this Act shall take effect
2 and be in force from and after its passage.



1 Introduced by Mr. Joyce, March 9, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act concerning a State Insurance Fund for the payment of compensation
under the Workmen's Compensation Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* For the purpose of paying the compensa-
3 tion of employes entitled thereto, under the provisions of the Workmen's Com-
4 pensation Act, approved June 28, 1913, in force July 1, 1913, as amended, there
5 is hereby created a State Insurance Fund.

Sec. 2. Except as otherwise provided in Section 18, every employer who
2 comes within the provisions of Section 3 of said Workmen's Compensation Act,
3 and every employer who elects to provide and pay the compensation provided
4 for in that Act, shall contribute to the State Insurance Fund, a sum or premium,
5 the amount of which shall be determined as hereinafter provided. Such sum
6 or premium shall be paid to the State Treasurer for the State Insurance Fund,
7 in advance in the month of January, 1922, and semi-annually in the months of
8 July and January thereafter. When any employer makes such payment, the

9 State Treasurer shall notify the Industrial Commission which shall immedi-
10 ately mail to him, a certificate attested by the seal of the commission, certifying
11 that such payment has been made. Such certificate shall be *prima facie* evidence
12 of the payment of such premium.

Sec. 3. All awards of compensation made by the Industrial Commission
2 or by any court, under the provisions of said Workmen's Compensation Act,
3 shall be paid out of the State Insurance Fund hereby created.

4 If the employer and employee, or the employer and the person entitled to
5 compensation on account of the death of an employee, enter into an agreement
6 as to the amount of compensation to be paid for accidental injury or death,
7 under the provisions of the Workmen's Compensation Act, such contract shall
8 be reviewed by the Industrial Commission and the correctness of the amount
9 and propriety of the award shall be so reviewed. Such review shall be made on
10 the motion of either party to the contract, after ten days' notice of the time
11 and place of such review shall have been given to each of the parties or their
12 attorneys of record.

13 If the commission disapproves such contract it may modify it so as to pro-
14 vide for the correct and proper amount of compensation payable under the
15 Workmen's Compensation Act, or if no compensation is due under the provi-
16 sions of said Act, it shall disapprove said contract entirely. If the commission
17 approves the contract, or modifies it as above provided, the compensation pro-
18 vided in the contract shall be paid out of the State Insurance Fund.

19 The decision of the commission on such contract may be reviewed in the
20 same manner that other decisions of the commission are reviewed under Sec-
21 tion 19 of the Workmen's Compensation Act.

Sec. 4. The Industrial Commission is hereby authorized and directed to
2 classify the occupations of those employers who are either automatically or by
3 their election, within the provisions of said Workmen's Compensation Act, with
4 respect to their degree of hazard, and to determine the risks of the different

5 classes and fix rates of premiums for each of the classes of occupation. The
6 premium fixed shall be in proportion to the degree of hazard, with a greater
7 rate of premium for the occupations of a greater degree of hazard. Such pre-
8 mium shall be sufficiently large to provide an adequate fund for the compensa-
9 tion paid under said Act and to maintain a State Insurance Fund, as herein
10 provided, from year to year; but shall be as low as possible consistent with the
11 maintenance of a solvent State Insurance Fund and the creation and mainte-
12 nance of a surplus, as hereinafter provided.

Sec. 5. The amount of premium to be paid by each employer shall be at
2 the rate fixed by said commission for the class of occupation in which he is
3 engaged, and shall be in proportion to the annual expenditure of money by such
4 employer for the service of persons described in Section 5 of said Workmen's
5 Compensation Act, and in proportion to the number of such persons employed
6 by him.

Sec. 6. The said commission shall keep an accurate account of the money
2 paid in premiums by each of the several classes of occupations and the losses
3 on account of injuries and death of employes thereof; and it shall also keep an
4 account of the money received from each individual employer and the amount
5 of losses incurred against the State Insurance Fund on account of injuries and
6 death of the employes of such employer.

Sec. 7. In the month of January, 1923, and annually thereafter, the com-
2 mission shall make a revision of rates and a re-classification of occupations, in
3 accordance with the experience in the administration of this law, as shown by
4 such accounts; and said commission shall adopt rules governing said rate revi-
5 sions and re-classifications, the object of which shall be to make an equitable
6 distribution of losses among the several occupations and classes of occupation,
7 which rules shall be general in their application.

Sec. 8. It shall have the power to adopt that rating system which, in its judgment, is best calculated equitably to classify each occupation and fix the rate for each class; such rating system shall be based upon the accident experience of each occupation and each class of occupation. It shall develop fixed and equitable rules controlling the same.

Sec. 9. Every employer within the provisions of this Act, shall furnish the commission, upon request, all information required by it to carry out the purposes of this Act. In the months of January and July of each year, every employer within the provisions of this Act, shall prepare and mail to the commission, at its office in Chicago, a statement containing the following information, viz.: The number of employes employed during the preceding six months; the number of such employes employed at each kind of employment; and the aggregate amount of wages paid to such employes. This information shall be furnished on blanks to be prepared by the commission and furnished to employers free of charge. The commission may require that the information herein required to be furnished be verified under oath and returned within the period fixed by it or by law. The Secretary of the Industrial Commission shall have the right to examine under oath, any employer or the officer, agent or employee thereof, for the purpose of ascertaining any information which such employer is required by this Act to furnish.

Any employer who fails or refuses to furnish to the commission, the semi-annual statement herein required, or who fails or refuses such other information as may be required by the commission under authority of this section, is guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00) for each offense. All fines so collected shall be paid into the State Insurance Fund and become a part thereof.

The information contained in such semi-annual report, and such other information which may be furnished to the commission by employers under this section, shall not be open to the public nor be used in any court in any action

25 or proceeding pending therein, and said commission shall not divulge to any
26 person, any information so secured by it.

Sec. 10. The Industrial Commission shall adopt rules and regulations, not
2 inconsistent herewith, with respect to the collection, maintenance and disburse-
3 ment of the State Insurance Fund; one of which rules shall provide that, in the
4 event the premium is collected from any employer at the beginning of any
5 period of six months, an adjustment of such premium shall be made at the end
6 of such six months period, and the actual amount of such premium shall be de-
7 termined on the basis provided in Section 5; and, in the event that such premium
8 has been less than the premium actually estimated and paid by him, then such
9 employer shall be entitled to receive a refund from the State Insurance Fund
10 of the difference between the amount so paid by him and the amount so found
11 to be actually due, or to have the amount of such difference credited on succeed-
12 ing premium payments at his option; and should such actual premium when so
13 ascertained, exceed in amount the premium so paid by such employer at the
14 beginning of such six months period, such employer shall, immediately, upon
15 being advised of the true amount of such premium due, forthwith pay to the
16 Treasurer of State, an amount equal to the difference between the amount
17 actually found to be due, and the amount paid by him at the beginning of said
18 six months period.

Sec. 11. If any employer believes that the occupation in which he is engaged
2 has been incorrectly or improperly classified, having reference to the degree of
3 hazard in such occupation; or, if any employer believes that the rate of pre-
4 mium fixed for his class of occupation is too high, having regard to the degree
5 of hazard in each class of occupation; or, if any employer believes that the
6 amount of premium assessed against him is too high, he may file a petition with
7 the commission, praying for a reclassification of his occupation, or for a revision
8 of the rate of premium for his class of occupation, or for a reduction of the pre-
9 mium assessed against him, or may join several such prayers in one petition,

10 and thereupon the commission shall hear such evidence as may be offered by
11 the petitioners in support of his said petition. It shall be the duty of the
12 Attorney General to appear on behalf of the State Treasurer as custodian of
13 said Insurance Fund and introduce such evidence as may be available against
14 the prayer of said petition.

15 The decision of the Industrial Commission shall, in the absence of fraud,
16 be conclusive, unless reviewed in the manner provided for the review of other
17 decisions of said commission in Section 19 of the said Workmen's Compensa-
18 tion Act.

Sec. 12. If any employer who is a contributor to the State Insurance Fund
2 believes that any person is obtaining or has made application to obtain com-
3 pensation hereunder, improperly or fraudulently, and files with the commission
4 a written request that said claim be investigated, the Industrial Commission
5 shall, upon receipt of such request, notify the Attorney General to appear on
6 behalf of the State Treasurer at any hearing before the Industrial Commis-
7 sion, or before any court where such claim may be pending, and the State Treas-
8 urer shall enter his appearance in such proceeding and have all rights of appeal
9 from the decision of the Industrial Commission that are now allowed an em-
10 ployer under said Workmen's Compensation Act.

Sec. 13. The Industrial Commission shall appoint not to exceed fifty in-
2 vestigators whose duty it shall be to investigate the facts surrounding any
3 accidental injury or death concerning which a claim or contract for compensa-
4 tion is made under the provisions of the Workmen's Compensation Act, or con-
5 cerning which an agreement has been made between the employer and employee,
6 or between the employer and the persons entitled to compensation on account
7 of the death of the employee. Such investigators shall investigate such acci-
8 dental injury or death with the especial purpose of discovering evidence which
9 will tend to defeat such claim or contract for compensation and shall prior to
10 the date of the hearing on such claim or on such contract, cause to be issued

11 subpoenas for the production of all books, papers or documents, and for the
12 attendance of all witnesses, which will in any manner tend to defeat such claim
13 for compensation or result in the disapproval of such contract.

14 The State Treasurer shall be made a party to every proceeding, before the
15 Industrial Commission, for compensation or upon the approval of a contract for
16 compensation.

17 The Attorney General shall appear on behalf of the State Treasurer and
18 shall appoint ten Assistant Attorneys General, one of whom shall appear at
19 each hearing before an arbitrator or the Industrial Commission and resist the
20 claim for compensation filed by the employee; or if the hearing is upon the
21 approval of a contract for compensation, he shall seek the reduction of the
22 amount of compensation. If in the opinion of the Assistant Attorney General
23 resisting such claim an appeal ought to be taken, he shall diligently prosecute
24 such appeal as provided in the Workmen's Compensation Act and the costs of
25 such appeal, if any, shall be paid out of said State Insurance Fund.

Sec. 14. Ten per cent of the money that is paid into the State Insurance
2 Fund shall be set aside for the creation of a surplus until such surplus amounts
3 to the sum of three hundred thousand dollars (\$300,000), after which time the
4 sum of five per cent of all the money paid into the State Insurance Fund shall
5 be credited to such surplus fund, until such time as, in the judgment of the
6 commission, such surplus is sufficiently large to guarantee a solvent State Insur-
7 ance Fund.

Sec. 15. The Industrial Commission shall make an annual report to the
2 Governor in January of each year, which shall show the receipts and disburse-
3 ments from said fund during the preceding calendar year.

4 Prior to the making of said annual report, the Auditor of Public Accounts
5 shall make an audit of the receipts and disbursements from said fund and of all
6 accounts of said commission. The annual report, together with the report of the
7 Auditor herein provided for, shall be furnished to any citizen of the State of
8 Illinois who applies therefor.

Sec. 16. The State Treasurer shall be the custodian of the State Insurance Fund and shall pay all compensation to the persons entitled thereto, out of said fund. The Auditor of Public Accounts shall draw his warrant on the State Treasurer for the payment of said compensation, upon the presentation of vouchers authorized by the Industrial Commission and signed by two members of such commission.

Sec. 17. The State Treasurer shall deposit the State Insurance Fund in the manner provided by "An Act in relation to State moneys," approved June 28, 1919, in force July 1, 1919.

Sec. 18. Any employer who will abide by the rules of the Industrial Commission and who has sufficient financial ability to render certain the payment of compensation that may be due from him under the provisions of the Workmen's Compensation Act, may, upon the finding of such fact by the Industrial Commission, elect to pay individually such compensation. Any employer who desires to pay compensation individually, shall file his petition with the Industrial Commission, alleging his financial ability to render certain the payment of compensation that may be due from him under the provisions of the Workmen's Compensation Act and, thereupon, the commission shall set said petition for a hearing, and on the hearing, the employer may produce any competent evidence bearing upon his financial ability to make such payments. And if the said commission is of the opinion that the employer has sufficient financial ability to render certain the payment of compensation that may be due from him under the provisions of the Workmen's Compensation Act, an order shall be entered permitting such employer to individually pay such compensation. After the entry of such order, the employer shall make no further contributions to the State Insurance Fund, and any compensation that may become due to the employee of such employer for injuries or death occurring after the entry of such order, shall be paid by said employer individually and not out of the State Insurance Fund.

21 If the said commission denies the prayer of the petition, the employer may
22 have such decision reviewed as provided in Section 19 of the Workmen's Com-
23 pensation Act.

Sec. 19. If any employer defaults in any payment required by him to the
2 State Insurance Fund, the amount due from him shall be collected by an action
3 against him in the name of the Industrial Commission as plaintiff; and it shall
4 be the duty of the Industrial Commission, on the first Monday of each month,
5 to certify to the Attorney General of the State, the names and residences of all
6 employers known to the commission to be in default for such payments for a
7 longer period than five days and the amount due from each said employer, and
8 it shall be the duty of the Attorney General forthwith to bring against each em-
9 ployer an action in the proper court for the collection of such amount so due,
10 and the same, when collected, shall be paid into the State Insurance Fund; and
11 the employer's compliance with the provisions of this Act requiring payment to
12 be made to the State Insurance Fund shall date from the time of payment of
13 said money so collected as aforesaid, to the Treasurer of State for credit to
14 the State Insurance Fund.

Sec. 20. Each county, city, town, township, incorporated village, school dis-
2 trict, body politic and each other municipal corporation within this State which
3 is subject to the provisions of said Workmen's Compensation Act, shall make
4 an appropriation for its contribution to the State Insurance Fund, the amount
5 of which shall be determined as in the case of other employers, by the Industrial
6 Commission. The Industrial Commission shall also determine the amount of
7 contribution, if any, which ought to be made to said Fund by the State on
8 account of employes of the State being within the provisions of said Workmen's
9 Compensation Act. Such amount shall be determined as in the case of any other
10 employer.

11 If, for any period of time after this Act goes into effect, the State or any
12 county, city, town, township, incorporated village, school district, body politic or

13 other municipal corporations of the State shall not make contributions to the
14 State Insurance Fund, then the State and such county, city, town, township, in-
15 corporated village, school district, body politic or other municipal corporation of
16 the State shall be liable for the amount of compensation due to its employes,
17 under the provisions of the Workmen's Compensation Act, for injuries or death
18 occurring during such period.

Sec. 21. Section 26 of the Workmen's Compensation Act, approved June
2 28, 1913, in force July 1, 1913, as amended, is repealed.

Sec. 22. This Act shall go into effect on January 1, 1922.



- 1 Introduced by Mr. Gregory, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend Section 1 of "An Act to provide by state tax for a fund for the support and maintenance of the University of Illinois," approved June 10, 1911, in force July 1, 1911, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of "An Act to provide by state tax for a fund for the support and maintenance of the University of Illinois," approved June 10, 1911, in force July 1, 1911, as amended, is amended to read as follows:

Sec. 1. There shall be levied and collected for the year 1912, and annually thereafter, at the same time and in the same manner that state taxes are collected, a tax of *one mill* for each dollar of the assessed valuation of the taxable property of this state, to be paid into the treasury of the state and set apart as a fund for the use and maintenance of the University of Illinois.

- 1 Introduced by Mr. Little, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations for the University of Illinois and providing for
the expenditure thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby appropriated to the Uni-
3 versity of Illinois for the two years beginning July 1, 1921, and until the expi-
4 ration of the first fiscal quarter after the adjournment of the next General
5 Assembly, the sum of eight million dollars (\$8,000,000), payable as follows:
6 out of money paid into the State treasury and set apart for the use and
7 maintenance of the University of Illinois, in accordance with an Act entitled,
8 "An Act to provide by State tax for a fund for the support and maintenance
9 of the University of Illinois," approved June 10, 1911, in force July 1, 1911, as
10 amended June 30, 1919, five million four hundred thousand dollars (\$5,400,000);
11 out of any funds in the State treasury not otherwise appropriated, two million
12 six hundred thousand dollars (\$2,600,000); for the following objects and
13 purposes:

14	For salaries and wages.....	\$5,440,000
15	For office expenses.....	240,000
16	For travel	80,000
17	For operation	880,000
18	For repairs	240,000
19	For equipment	480,000
20	For improvements other than new buildings	320,000
21	For contingencies	320,000
22	Total	<u>\$8,000,000</u>

Sec. 2. There is hereby appropriated to the University of Illinois for the two years beginning July 1, 1921, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of five hundred thousand dollars (\$500,000), payable out of any funds in the State treasury not otherwise appropriated, for the first unit of an agricultural group of buildings.

Sec. 3. There is hereby appropriated to the University of Illinois for the two years beginning July 1, 1921, and until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, the sum of two million dollars (\$2,000,000), payable out of any funds in the State treasury not otherwise appropriated, for buildings as follows:

6	For Horticultural Field Laboratory and equipment	\$ 260,000
7	For first unit of Library Building and equipment	500,000
8	For Medical Research Laboratory and Library and equipment.....	500,000
9	For addition to Natural History Hall and equipment	150,000
10	For addition to Transportation Building	90,000
11	For addition to Armory	250,000
12	For Cattle Feeding plant.....	50,000
13	For land	150,000
14	For contingent building fund	50,000
15	Total	<u>\$2,000,000</u>

Sec. 4. The appropriations made in sections 1, 2 and 3 of this Act shall be
2 subject to all the provisions, conditions, and limitations of an Act entitled, "An
3 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 5. There is hereby appropriated to the University of Illinois for the
2 two years beginning July 1, 1921, and until the expiration of the first fiscal
3 quarter after the adjournment of the next General Assembly for the payment
4 of interest on the endowment funds of said university as provided by section 2
5 of an Act entitled, "An Act to make appropriations for the University of Illi-
6 nois, and providing for the management of the funds of said university and for
7 the protecting the interest of the State in connection therewith," approved and in
8 force June 11, 1897, the sum of sixty-five thousand dollars (\$65,000), or so much
9 thereof as may be necessary.

Sec. 6. Upon the order of the President of the Board of Trustees of the
2 University of Illinois, countersigned by its Secretary and with the corporate
3 seal of said University attached thereto, the Auditor of Public Accounts is hereby
4 authorized and directed to draw his warrants on the State Treasurer for the
5 sum appropriated in section 5 of this Act.



- 1 Reported from House, May 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education. Or-
dered to 1st reading with reference.

A BILL

For an Act making appropriations for the University of Illinois and providing for
the expenditure thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: There is hereby appropriated to the Uni-
versity of Illinois for the two years beginning July 1, 1921, and until the expi-
ration of the first fiscal quarter after the adjournment of the next General
Assembly, the sum of eight million dollars (\$8,000,000), payable as follows:
out of money paid into the State treasury and set apart for the use and
maintenance of the University of Illinois, in accordance with an Act entitled,
"An Act to provide by State tax for a fund for the support and maintenance
of the University of Illinois," approved June 10, 1911, in force July 1, 1911, as
amended June 30, 1919, five million four hundred thousand dollars (\$5,400,000);
out of any funds in the State treasury not otherwise appropriated, two million
six hundred thousand dollars (\$2,600,000); for the following objects and
purposes:

14	For salaries and wages.....	\$5,440,000
15	For office expenses.....	240,000
16	For travel	80,000
17	For operation	880,000
18	For repairs	240,000
19	For equipment	480,000
20	For improvements other than new buildings	320,000
21	For contingencies	320,000
22	Total	<u>\$8,000,000</u>

Sec. 2. There is hereby appropriated to the University of Illinois for the
 2 two years beginning July 1, 1921, and until the expiration of the first fiscal
 3 quarter after the adjournment of the next General Assembly, the sum of five
 4 hundred thousand dollars (\$500,000), payable out of any funds in the State
 5 treasury not otherwise appropriated, for the first unit of an agricultural group
 6 of buildings.

Sec. 3. There is hereby appropriated to the University of Illinois for the
 2 two years beginning July 1, 1921, and until the expiration of the first fiscal
 3 quarter after the adjournment of the next General Assembly, the sum of two
 4 million dollars (\$2,000,000), payable out of any funds in the State treasury not
 5 otherwise appropriated, for buildings as follows:

6	For Horticultural Field Laboratory and equipment	\$ 260,000
7	For first unit of Library Building and equipment	500,000
8	For Medical Research Laboratory and Library and equipment.....	500,000
9	For addition to Natural History Hall and equipment	150,000
10	For addition to Transportation Building	90,000
11	For addition to Armory	250,000
12	For Cattle Feeding plant.....	50,000
13	For land	150,000
14	For contingent building fund	50,000
15	Total	<u>\$2,000,000</u>

Sec. 4. The appropriations made in sections 1, 2 and 3 of this Act shall be
2 subject to all the provisions, conditions, and limitations of an Act entitled, "An
3 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 5. There is hereby appropriated to the University of Illinois for the
2 two years beginning July 1, 1921, and until the expiration of the first fiscal
3 quarter after the adjournment of the next General Assembly for the payment
4 of interest on the endowment funds of said university as provided by section 2
5 of an Act entitled, "An Act to make appropriations for the University of Illi-
6 nois, and providing for the management of the funds of said university and for
7 the protecting the interest of the State in connection therewith," approved and in
8 force June 11, 1897, the sum of sixty-five thousand dollars (\$65,000), or so much
9 thereof as may be necessary.

Sec. 6. Upon the order of the President of the Board of Trustees of the
2 University of Illinois, countersigned by its Secretary and with the corporate
3 seal of said University attached thereto, the Auditor of Public Accounts is hereby
4 authorized and directed to draw his warrants on the State Treasurer for the
5 sum appropriated in section 5 of this Act.



- 1 Introduced by Mr. Frisch, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to pay the State's proportionate share of special assessments for local improvements upon certain streets in the city of Jacksonville.

WHEREAS, Proceedings have been instituted by the City of Jacksonville to
2 levy a special assessment to pay the cost of paving certain streets in the city of
3 Jacksonville upon which property of the State abuts; and

4 WHEREAS, The city engineer of the city of Jacksonville has submitted de-
5 tailed estimates of the State's proportionate share of the cost of these improve-
6 ments; and

7 WHEREAS, It is proper that the State should pay its proportionate share of
8 this cost, but not exceeding the benefit to be derived from these improvements
9 by the property of the State, now therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is appropriated to the Department
3 of Public Works and Buildings the sum of \$20,768, or so much thereof as may

4	be necessary, to pay the State's proportionate share of special assessments for	
5	local improvements (but not exceeding the benefit to be derived by the property	
6	of the State) to be made by the city of Jacksonville upon the following streets:	
7	For paving West State Street along the north side of the Illinois School	
8	for the Deaf.....	\$6,010
9	For paving East State Street along the south side of the Illinois School	
10	for the Blind.....	6,716
11	For paving West College Avenue along the south side of the Illinois	
12	School for the Deaf.....	4,804
13	For paving Webster Avenue from the north line of College Avenue to the	
14	south line of West State Street, along the east side of the Illinois	
15	School for the Deaf.....	3,238

Sec. 2. This appropriation is subject to the provisions of "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. McCabe, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 6 of Division XIII of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 6 of Division XIII of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, is amended to read as follows:*

DIVISION 13.

Sec. 6. No person shall be disqualified as a witness in any criminal case or proceeding by reason of his interest in the event of the same, as a party or otherwise, or by reason of his having been convicted of any crime; but such interest or conviction, *whether of an infamous crime or not, or whether of a misdemeanor, may be shown for the purpose of affecting his credibility: Provided, however, that a defendant in any criminal case or proceeding shall only at his own request be deemed a competent witness, and his neglect to testify shall not create any presumption against him, nor shall the court permit any reference or comment to be made to or upon such neglect.*



- 1 Introduced by Mr. Thon, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 14, 15, 17, and 23 of "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, as amended, to add Section 15a thereto, and to repeal an Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 14, 15, 17, and 23 of "An Act to
3 provide for the printing and distribution of ballots at public expense, and for
4 the nomination of candidates for public offices, to regulate the manner of hold-
5 ing elections, and to enforce the secrecy of the ballot," approved June 22, 1891,
6 in force July 1, 1891, as amended, are amended, and Section 15a is added thereto,
7 the amended and additional sections to read as follows:

Sec. 14. The names of all candidates to be voted for in each election dis-
2 trict or precinct shall be printed on one ballot. *The names of candidates for each*
3 *office shall be arranged under the designation of the office; but the names of can-*

4 didates for the same office but for different terms of service shall be arranged in
 5 groups according to the length of their respective terms. Blank spaces shall be
 6 left at the end of the list of candidates for each different office or group equal to
 7 the number to be elected thereto, in which the voter may insert the name of any
 8 person not printed on the ballot for whom he desires to vote for such office. The
 9 names of the candidates for presidential electors shall not be printed on the bal-
 10 lot. The names of candidates for president and vice-president of the United
 11 States, of each political party or group shall be blocked together upon the bal-
 12 lot, and treated as if they were one candidate. Votes and returns for president
 13 and vice-president of the United States shall be canvassed, and presidential elect-
 14 ors designated in the manner provided by Sections 1, 2, and 3 of "An Act in re-
 15 gard to elections, and to provide for filling vacancies in elective offices," ap-
 16 proved April 3, 1872, in force July 1, 1872, as amended. Words calculated to aid
 17 the voter in his choice of candidates, such as "Vote for one", "Vote for three",
 18 or the like may be printed upon the ballot. Where any party or group of peti-
 19 tioners employs a distinctive party or group name, such name (if containing not
 20 more than sixteen letters) shall be printed upon the ballot, upon the same line
 21 with or upon a line just below that of each candidate of such party or group. Such
 22 party or group names shall appear in all cases in the same type, and in a manner
 23 as nearly uniform as possible upon the ballot. On the back or outside of the bal-
 24 lot, so as to appear when folded, shall be printed the words, "Official ballot"
 25 followed by the designation of the polling place for which the ballot is prepared,
 26 the date of the election and fac simile of the signature of the clerk or other offi-
 27 cer who has caused the ballots to be printed. The ballots shall be of plain white
 28 paper, through which the printing or writing cannot be read. The designation
 29 of each office under which the names of candidates appear shall be printed in cap-
 30 ital letters not less than one-fourth of an inch in height. The names of candi-
 31 dates shall be printed in capital letters not less than one-eighth nor more than
 32 one-fourth of an inch in height, and at the beginning of each line in which a name

33 of a candidate is printed a square shall be printed, the sides of which shall be not
34 less than one-fourth of an inch in length.

35 *Candidates for president and vice-president shall appear under a designa-*
36 *tion indicating this fact, and the square for voting for such candidates shall be*
37 *placed at the beginning of the block containing the names of both the candidates*
38 *for president and vice-president of each political party or group. Any county*
39 *clerk refusing, neglecting or failing to print on the official ballot the names of*
40 *candidates of the several political parties certified by the Secretary of State,*
41 *shall be guilty of a misdemeanor and on conviction shall be fined in any sum not*
42 *exceeding five hundred dollars and imprisoned in the county jail not less than ten*
43 *days, and not more than thirty days.*

Sec. 15. For all elections to which this Act applies, the county clerks, in
2 their respective counties, shall have charge of the printing of the ballots for all
3 general elections, and shall furnish them to the judges of election; the city, town
4 or village clerk shall have charge thereof and furnish them in all city elections,
5 and the town clerk in counties under township organization shall have charge
6 thereof and furnish the same in all town elections to which this Act applies:
7 Provided, that in cities, towns, or villages having a board of election commis-
8 sioners, such board shall have charge of the printing of the ballots and furnish
9 them to the judges of election within the territory under their jurisdiction. *Said*
10 *ballots shall be prepared in as many series as there are candidates in the office*
11 *or group in which there are the most names; the ballots of the first series shall*
12 *contain all the names of the candidates for each office or group to be filled, one*
13 *immediately following the other in alphabetical order according to their sur-*
14 *names; the ballots of the second series shall be like those of the first series, and*
15 *the names of the candidates in the second series shall be arranged in the same*
16 *order as those of the first series, except that the name appearing first in the list*
17 *of candidates for each office or group in said first series shall, in said second*
18 *series, be printed after all the other names in the list of candidates for such of-*

19 *fice or group; the ballots of the third series shall be like those of the second series,*
 20 *and the names of the candidates in the third series shall be arranged in the same*
 21 *order as those of the second series, except that the name first appearing in the*
 22 *list of candidates for each office or group in said second series shall, in said third*
 23 *series, be printed after all the other names in the list of candidates for such of-*
 24 *fice or group, and so on successively, the names at the top of any list of candi-*
 25 *dates for each office or group in any series being placed at the bottom of the re-*
 26 *spective lists of candidates for such office or group in each succeeding series, and*
 27 *the name next to the top name in any list of candidates for each office or group*
 28 *being successively advanced to the top of the list of any succeeding series, until the*
 29 *name of each candidate for each offic or group shall appear at the head of the list*
 30 *of candidates for such office or group: Ballots shall be printed and in possession*
 31 *of the officer charged with their distribution at least two days before the elec-*
 32 *tion and subject to the inspection of candidates and their agents; if any mistakes*
 33 *be discovered they shall be corrected without delay The officer so charged*
 34 *with the printing of the ballots shall cause to be delivered to the judges of elec-*
 35 *tion at the polling place of each precinct or district, not less than twelve hours*
 36 *before the time fixed by law for the opening of the polls therein, one hundred*
 37 *ballots of the kind to be voted in such precinct or district for every fifty votes cast*
 38 *therein at the last preceding election for State officers: Provided, that in cities,*
 39 *villages and towns having a board of election commissioners the officer so charged*
 40 *with the printing of the ballots shall cause to be delivered to the judges of election*
 41 *at the polling place of each precinct or district not less than twelve (12) hours be-*
 42 *fore the time fixed by law for the opening of the polls therein, at least ten (10)*
 43 *per cent more ballots of the kind to be voted in such precinct or district than the*
 44 *number of voters registered therein for the purpose of such election, such ballots*
 45 *shall be put up in separate sealed packages, with marks on the outside clearly*
 46 *designating the polling place for which they are intended and the number of*
 47 *ballots enclosed, and receipt therefor shall be given by the judges of election to*
 48 *whom they are delivered, which receipt shall be preserved by the officer charged*

49 with the printing of the ballots. The officer or authorities charged with the
50 printing and distributing of the ballots shall provide and retain at his or their
51 office an ample supply of ballots, in addition to those distributed to the several
52 voting precincts or districts, and if at any time on or before the day of election
53 the ballots furnished to any precinct shall be lost, destroyed or exhausted before
54 the polls are closed, on written application signed by a majority of the judges
55 of such precinct or district, or signed and sworn to by one of such judges, he
56 shall immediately cause to be delivered to such judge at the polling place, such
57 additional supply of ballots as may be required and sufficient to comply with the
58 provision of this Act.

Sec. 15a. Each precinct or district shall be allotted a different series of
2 ballots unless there are more precincts or districts than there are series of bal-
3 lots printed. The first precinct or district, in any county, city, village, ward,
4 town, or area for which the candidates upon the ballot are to be elected, shall be
5 allotted the first series of ballots, the second precinct or district the second
6 series, and so on successively until the entire series of ballots shall have been
7 exhausted, whereupon the next precinct or district shall be allotted the first
8 series of ballots, and so on in rotation until all the precincts or districts shall
9 have been supplied with the requisite number of ballots: Provided, however,
10 that in the event that there are more series of ballots than there are precincts or
11 districts, then the ballots shall be so distributed that an equal number of each
12 series of ballots as nearly as possible shall be allotted within each area within
13 which the election is being conducted.

Sec. 17. No number of votes shall be printed on any ballot after the name
2 of any candidate for representative in the General Assembly. In canvassing
3 the vote for representatives in the General Assembly, the ballots shall be
4 counted in the manner following: Whenever a cross is placed in the square pre-
5 ceding the name of any one candidate for representative in the General Assem-
6 bly and the ballot is not otherwise marked the ballot shall be counted three votes

7 for said candidate; where a cross is placed in the squares preceding the names
 8 of any two candidates for representatives in the General Assembly and the bal-
 9 lot is not otherwise marked, the ballot shall be counted one and one-half votes
 10 for each of said two candidates; where a cross is placed in the squares preceding
 11 the names of any three candidates for representatives in the General Assembly
 12 and the ballot is not otherwise marked, the ballot shall be counted one vote for
 13 each of said three candidates.

14 Where the voter has indicated his intention by lawful marking of his ballot
 15 to divide his votes among the candidates in any manner other than as specified
 16 in this section, it shall be counted for such candidates according to the intention
 17 of the voter as disclosed by the marking of the ballot. If the ballot has been so
 18 marked as to incideate an intention to cast more than three vottes for represen-
 19 tatives in the General Assembly, such ballot shall not be counted for any of such
 20 candidates.

Sec. 23. On receipt of his ballot the voter shall forthwith, and without
 2 leaving the inclosed space, retire alone to one of the voting booths so provided
 3 and shall prepare his ballot by making in the appropriate margin or place a
 4 cross (X) opposite the name of the candidate of his choice for each office to be
 5 filled or by writing in the name of the candidate of his choice in a blank space
 6 on said ticket, making a cross (X) opposite thereto; and in case of a question
 7 submitted to the vote of the people, by making in the appropriate margin or
 8 place a cross (X) against the answer he desires to give. *The cross (X) shall in*
 9 *the case of candidates for president and vice-president of the United States, be*
 10 *made opposite the block containing the names of both such candidates.* Before
 11 leaving the voting booth the voter shall fold his ballot in such manner as to con-
 12 ceal the marks thereon. He shall then vote forthwith in the manner now pro-
 13 vided by law, except that the number corresponding to the number of the voter on
 14 the poll books shall not be endorsed on the back of his ballot. He shall mark and
 15 deposit his ballot without undue delay, and shall quit said inclosed space as

16 soon as he has voted. No voter shall be allowed to occupy a voting booth al-
17 ready occupied by another, nor remain within said inclosed space more than ten
18 minutes, nor to occupy a voting booth more than five minutes in case all of said
19 voting booths are in use and other voters waiting to occupy the same. No voter
20 not an election officer, shall, after having voted, be allowed to re-enter said in-
21 closed space during said election. No person shall take or remove any ballots
22 from the polling place before the close of the poll. No voter shall vote or offer
23 to vote any ballot except such as he has received from the judges of election in
24 charge of the ballots. Any voter who shall, by accident or mistake, spoil his
25 ballot, may, on returning said spoiled ballot receive another in place thereof.

Sec. 2. "An Act to dispense with individual tally marks in canvassing the
2 so-called 'straight tickets' at all elections hereafter held in this state; and con-
3 cerning the duties of the clerks in the canvass of votes at such elections", ap-
4 proved May 13, 1905, in force July 1, 1905, is repealed.



1 Introduced by Mr. Healy, March 9, 1921.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to authorize the establishment and operation by the State of a cement
manufacturing plant.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings is authorized and directed, to establish, equip, maintain and operate
4 either within or without this State a cement manufacturing plant for the purpose
5 of supplying cement to the State of Illinois and to counties and townships
6 within the State for use upon road and bridge construction projects and building
7 construction projects. The department may, if it sees fit, acquire a running
8 cement plant either by purchase or by condemnation under the eminent domain
9 laws of this State.

Sec. 2. The Department of Public Works and Buildings shall have power:

2 (a) To acquire, by purchase or lease or by condemnation under the emi-
3 nent domain laws of this State, real estate for use as a ground site for this

4 cement manufacturing plant, and for all necessary mining and excavation
5 purposes;

6 (b) To erect or to acquire, by purchase or lease or by condemnation under
7 the eminent domain law of this State, all necessary buildings, plants and
8 structures;

9 (c) To acquire, by purchase or lease, all necessary machinery, apparatus
10 and equipment;

11 (d) To carry on such mining and excavation activities as shall be neces-
12 sarily incidental to the procuring of raw materials;

13 (e) To purchase all necessary raw materials and supplies;

14 (f) To appoint without reference to any civil service law, all necessary em-
15 ployees and to prescribe their duties, compensation and terms of employment;

16 (g) To distribute the manufactured cement to those parts of the State in
17 which it may be needed; and

18 (h) To do all other acts necessary for the successful establishment, equip-
19 ment, maintenance and operation of a cement manufacturing plant and for the
20 distribution of the manufactured cement.

Sec. 3. The cement manufactured in accordance with the provisions of this
2 Act shall never be sold or given away to any person, firm, association, or pri-
3 vate corporation whatsoever, but it may be sold to counties and townships of this
4 State to be used in road and bridge or building construction work.

Sec. 4. For the purpose of carrying out the provisions of this Act the sum
2 of five million dollars is appropriated to the Department of Public Works and
3 Buildings. This appropriation is subject to the provisions of "An Act in rela-
4 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Young, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend the title and Section 1 of "An Act to provide for the election of town clerks, township assessors and township collectors in counties under township organization and to fix their term of office," approved June 14, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of "An Act to provide for the
3 election of town clerks, township assessors, and township collectors in counties
4 under township organization and to fix their term of office," approved June 14,
5 1909, in force July 1, 1909, is amended to read as follows:

Section 1. Town clerks and township collectors elected at the annual town
2 meetings in their respective towns in the counties now under township organiza-
3 tion, on the first Tuesday of April, 1910, and every two years thereafter, and in
4 counties which may hereafter adopt township organization, shall hold their
5 offices for two years and until their successors are elected and qualified, and the
6 term of said office is fixed at two years.

Sec. 2. The title of said Act is amended to read as follows: "*An Act to*
2 *provide for the election of town clerks and township collectors in counties under*
3 *township organization, and to fix their terms of office.*"



1 Introduced by Mr. Young, March 9, 1921.

2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to add Section 21a to "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sec. 21a is added to "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended, the added section to read as follows:*

Sec. 21a. *In each county under township organization, having a population of less than one hundred twenty-five thousand (125,000) inhabitants, as ascertained by the last preceding federal or State census, a county assessor shall be elected on Tuesday next after the first Monday in November, 1922, and every four years thereafter. Each such county assessor shall enter upon the duties of his office on the first Monday of December after his election.*



- 1 Introduced by Mr. Young, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to add Section 75a to "An Act in relation to corporations for pecuniary profit," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 75a is added to "An Act in relation to corporations for pecuniary profit," approved June 28, 1919, in force July 1, 1919, to read as follows:*

Sec. 75a. *A corporation dissolving subsequent to March 31st of any year shall be liable for taxes upon all its property for that year, including capital stock tax, and no certificate of dissolution shall be issued by the Secretary of State in such case except on presentation of the certificate of the collector, or other officer authorized to collect such taxes, showing that all such taxes have been paid.*



- 1 Introduced by Mr. Lyman, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act appropriating to the trustees of the University of Illinois the money granted by an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts, established under the provisions of an Act of Congress, approved July 2, 1862," and the money granted by an Act of Congress, approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one hundred thousand dollars (\$100,000), or so much thereof as shall accrue to the State of Illinois under the provisions of an Act of Congress entitled, "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts, established under the provisions of an Act of Congress, approved July 2, 1862,"

8 approved August 30, 1890, and an Act of Congress entitled, "An Act making
9 appropriations for the Department of Agriculture for the fiscal year ending
10 June 30, 1908," approved March 4, 1907, during the two years beginning July
11 first, 1921, is hereby appropriated to the Trustees of the University of Illinois.

12 Whenever any portion of said sum shall be received by the State Treasurer
13 from the United States, it shall immediately be due and payable into the
14 treasury of the University of Illinois.

Sec. 2. Upon the order of the President of the Board of Trustees of the
2 University of Illinois, countersigned by its Secretary and with the corporate
3 seal of said University attached thereto, the Auditor of Public Accounts is
4 hereby authorized and directed to draw his warrants on the State Treasurer
5 for the sums appropriated in section 1 of this Act.



- 1 Introduced by Mr. Flagg (by request) March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 1, 2, 3, 4, 5, 6 and 7 of an Act entitled, "An Act to revise the law in relation to county surveyors and the custody of the United States Field Notes," approved March 2, 1874, and in force July 1, 1874, and all amendments thereto; and repealing all laws and parts of laws conflicting with the provisions of this Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 1, 2, 3, 4, 5, 6 and 7 of an
3 Act entitled, "An Act to revise the law in relation to county surveyors, and the
4 custody of the United States Field Notes," approved March 2, 1874, in force
5 July 1, 1874, and all Acts amendatory thereto, be and the same is hereby amended
6 so as to read as follows:

Section 1. Paragraph (A). No person shall be eligible to the office of county
2 surveyor who has not one or more of the following qualifications:

3 (a) Graduation from a school of surveying of standing recognized by the
4 University of Illinois or the General Assembly of Illinois.

5 (b) At the time of election an Illinois licensed surveyor.

6 (c) Five years service as county surveyor, deputy county surveyor or
7 United States surveyor.

8 Paragraph (B) The county surveyor shall keep his office in the county
9 court house, in a suitable room or rooms which shall be provided by the county
10 and the county shall furnish him with all necessary tools, instruments, office
11 fixtures, fire-proof vault, cases, suitable articles, telephone, materials, blank
12 books and blanks necessary to the proper discharge of his duties.

13 Paragraph (C) The county surveyor shall receive from the person or per-
14 sons ordering the work done, a fee of twelve (12) dollars and all expenses per
15 day of eight hours actually and necessarily employed in the discharge of his
16 duties, and no record of any plat or survey shall be made until such fee is paid.

17 Paragraph (D) In counties of the first and second class he or his deputy
18 shall be in the office one day each week at the same hours the other offices of
19 record are kept open, he to name the day on which it shall be kept open. He
20 shall be paid six (6) dollars per day for this service, the same to be paid quar-
21 terly from the county treasury.

22 Paragraph (E) For every plat made or record of survey the county sur-
23 veyor shall receive compensation from the person or persons having the work
24 done for the time required to make the same, at the same rate as shown in Para-
25 graph (C) of this Act. Provided, that the minimum fee for each record shall
26 be two (2) dollars.

27 Paragraph (F) For time spent in examining records, giving advice re-
28 garding surveys and any other office services he shall be paid according to
29 Paragraph (C) of this Act, same to be paid by the person or persons for whom
30 the work is done. Provided, that the minimum fee for such service shall be
31 fifty cents.

32 Paragraph (G) All Acts and parts of Acts in conflict herewith are hereby
33 repealed.



- 1 Introduced by Mr. Sonnemann, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act in relation to the definition, registration and regulation of real estate brokers and real estate salesmen.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful for any person,
3 association, copartnership or corporation, whether operating under an assumed
4 name or otherwise, from and after January 1, 1922, to engage in the business
5 or capacity, either directly or indirectly, of a real estate broker or real estate
6 salesman within this State, or to advertise or assume to act as such real estate
7 broker or real estate salesman within this State, without a certificate of regis-
8 tration duly issued by the Department of Registration and Education under
9 this Act. Provided, that nothing in this Act contained shall prohibit the cooper-
10 ation of, or a division of commissions between, a duly registered broker of this
11 State and a non-registered broker having no office in this State.

Sec. 2. A real estate broker within the meaning of this Act is any person,
2 association, copartnership or corporation, who for a compensation or valuable

3 consideration sells or offers for sale, buys or offers to buy, or negotiates the
4 purchase or sale or exchange of real estate, or who leases, or offers to lease,
5 or rents or offers for rent, any real estate or negotiates leases thereof or of the
6 improvements thereon for others, as a whole or partial vocation. A real estate
7 salesman within the meaning of this Act is any person who for a compensation
8 or valuable consideration is employed either directly or indirectly by a real
9 estate broker or by one person, copartnership or corporation regularly engaged
10 in the business on his or its own account, and not as a broker or agent for
11 others, of buying, selling or leasing real estate, to sell or offer to sell, or to
12 buy or offer to buy, or to negotiate the purchases or sale or exchange of real
13 estate, or lease or offer to lease, to rent or offer for rent any real estate, or to
14 negotiate leases thereof or of the improvements thereon, as a whole or partial
15 vocation. The provisions of this Act shall not apply to any person, association,
16 copartnership or corporation, who as owner or lessor shall perform any of the
17 acts aforesaid with reference to property owned by them, nor shall the provi-
18 sions of this Act apply to persons acting as attorney-in-fact under a duly exe-
19 cuted power of attorney from the owner authorizing the final consummation by
20 performance of any contract for the sale, leasing, or exchange of real estate,
21 nor shall this Act be construed to include in any way the services rendered by
22 an attorney at law in the performance of his duties as such attorney at law,
23 nor shall it be held to include, while acting as such, a receiver, trustee in bank-
24 ruptcy, administrator or executor or any person selling real estate under order
25 of any court, nor to include a trustee acting under a deed of trust or will.

Sec. 3. One act for a compensation or valuable consideration of buying or
2 selling real estate of or for another, or offering for another to buy or sell or
3 exchange real estate, or of leasing or renting or offering to rent, or of negoti-
4 ating leases of real estate, except as herein specifically excepted, shall constitute
5 the person, association, copartnership or corporation performing, offering or
6 attempting to perform any of the acts enumerated herein, a real estate broker
7 or a real estate salesman within the meaning of this Act.

Sec. 4. All applications for certificates of registration shall be made in

2 writing to the Department of Registration and Education. Such application
3 shall be accompanied by the recommendation of at least two citizens, real estate
4 owners not related to the applicant, who have owned real estate for a period
5 of one year or more, in the county in which said applicant resides, or has his
6 place of business, which recommendation shall certify that the applicant bears
7 a good reputation for honesty and fair dealing, and shall recommend that a
8 certificate be granted to the applicant. Every applicant for a certificate shall
9 furnish a sworn statement setting forth his present address, both of business
10 and residence, the complete address of all former places where he may have
11 resided or been engaged in business, or acted as a real estate salesman, for a
12 period of sixty days or more, during the last five years, and the length of such
13 residence, together with the name of at least one real estate owner in each of the
14 said counties where he may have resided, engaged in business, or acted as a
15 salesman. If the applicant be a copartnership, association or corporation, the
16 information in this section required shall be given as to each member, in the
17 case of a copartnership or association, and each officer in the case of a cor-
18 poration.

19 Every applicant for a broker's certificate shall also state the name of the
20 person, association, copartnership or corporation, and the location of the
21 place, or places, for which said certificate is desired, and set forth the period
22 of time, if any, which said applicant has been engaged in the business, and shall
23 be executed by such person, or by an officer or member thereof. Every real
24 estate broker shall maintain a place of business in this State. In case a real
25 estate broker maintains more than one place of business within this State, a
26 duplicate certificate shall be issued to such broker for each branch office so
27 maintained. A fee of \$1.00 shall be paid by the applicant for each such addi-
28 tional certificate. Every applicant for a salesman's certificate shall, in addi-
29 tion to the requirements of the first paragraph of this section, also set forth
30 the period of time, if any, during which he has been engaged in that business,

31 stating the name of his last employer, and the name and the place of business
32 of the person, association, copartnership or corporation then employing him,
33 or in whose employ he is to enter. The application shall be accompanied by a
34 written statement by the broker in whose employ he is to enter, stating that in
35 his opinion the applicant is honest, truthful and of good reputation, and rec-
36 ommending that the certificate be granted to the applicant. Certificates shall
37 be issued only to persons who are trustworthy and bear a good reputation for
38 honesty and fair dealing. The Department of Registration and Education shall
39 have the right to prescribe the form of application for all certificates and is
40 hereby authorized to require and procure such satisfactory proof as shall be
41 deemed desirable in reference to the honesty, truthfulness and reputation of any
42 applicant for a real estate broker's or salesman's certificate or of any of the
43 officers or members of any such applicant prior to the issuance of any such
44 certificate. The Department of Registration and Education is expressly vested
45 with the power and authority to make, prescribe and enforce any and all such
46 rules and regulations connected with the application for any certificate, as shall
47 be deemed necessary to administer and enforce the provisions of this Act.

Sec. 5. Certificates of registration shall be issued only to persons who are
2 competent to assume the business of a real estate broker or real estate sales-
3 man, as the case may be, in such manner as to safeguard the interests of the
4 public. The Department of Registration and Education is hereby authorized
5 to require and procure such satisfactory proof as shall be deemed desirable in
6 reference to the competency, as aforesaid, of any applicant for a certificate of
7 registration hereunder.

Sec. 6. The Department of Registration and Education shall issue to each
2 applicant entitled thereto, a certificate of registration in such form and size as
3 shall be prescribed by the department, the person to whom such a certificate
4 shall be issued hereinafter designated "registrant." This certificate shall
5 show the name and address of the applicant, and in case of a real estate sales-

6 man's certificate, shall show the name of the real estate broker by whom he is
7 employed. Each certificate shall have imprinted thereon the seal of the De-
8 partment, and in addition to the foregoing shall contain such matter as shall be
9 prescribed by the Department. The certificate of each real estate salesman shall
10 be delivered or mailed to the real estate broker by whom such real estate sales-
11 man is employed and shall be kept in the custody and control of such broker.
12 It shall be the duty of each real estate broker to conspicuously display his cer-
13 tificate in his place of business. Notice in writing shall be given to the Depart-
14 ment by each registrant of any change of principal business location, where-
15 upon the Department shall issue a new certificate for the unexpired period
16 without charge. A change of business location without notification to the De-
17 partment and without the issuance by it of a new certificate shall automatically
18 cancel the certificate theretofore issued. The Department shall prepare and
19 deliver to each registrant a pocket card, not larger than two and one-fourth
20 inches in width and three and three-fourths inches in length, which card among
21 other things shall contain the name and address of the employer, in case the
22 registrant be a salesman, and shall contain an imprint of the seal of the Depart-
23 ment and shall certify that the person whose name appears thereon is a regis-
24 tered real estate salesman or real estate broker, as the case may be. The
25 matter to be printed on such pocket card, except as above set forth, shall be
26 prescribed by the Department.

Sec. 7. When any real estate salesman shall be discharged or shall termi-
2 nate his employment with the real estate broker by whom he is employed, such
3 real estate broker shall immediately deliver or mail by registered mail to the
4 Department such real estate salesman's certificate. In case, because of the loss
5 or destruction of such certificate, or for any other reason, such broker shall be
6 unable immediately so to deliver or mail such certificate, he shall immediately
7 deliver or mail to the Department a written explanation in detail of such in-
8 ability. *Provided, further,* that such broker's neglect or failure so to mail or

9 deliver such certificate or explanation shall not prevent the salesman from
 10 obtaining another certificate. The real estate broker shall at the time of deliv-
 11 ering or mailing such real estate salesman's certificate, or a written explana-
 12 tion as aforesaid, to the Department, address a communication to the last known
 13 residence address of such real estate salesman, which communication shall
 14 advise such real estate salesman that his certificate, or a written explanation
 15 as aforesaid, is about to be delivered or mailed to the Department. A copy of
 16 such communication to the real estate salesman shall accompany the certificate
 17 or explanation when mailed or delivered to the Department. It shall be un-
 18 lawful for any real estate salesman to perform any of the acts contemplated
 19 by this Act either directly or indirectly under authority of said certificate from
 20 and after the termination of his employment as aforesaid. *Provided*, that
 21 another certificate shall not be issued to such real estate salesman until he shall
 22 return his former pocket card to the Department or shall satisfactorily
 23 account to it for same: *Provided, further*, that not more than one certificate
 24 shall be issued to any real estate salesman for the same period of time, with-
 25 out the knowledge and written consent of each employer.

Sec. 8. The first annual registration fee for each real estate broker's cer-
 2 tificate of registration shall be ten dollars and a renewal shall be five dollars.
 3 The first annual fee for each real estate salesman's certificate shall be two
 4 dollars and a renewal shall be one dollar. Each real estate broker's certificate
 5 which may be granted to an individual shall entitle such individual to perform
 6 all of the acts contemplated by this Act without any further application upon
 7 his part and without payment of any fee other than the real estate broker's
 8 annual fee. Each real estate broker's certificate granted to any association, co-
 9 partnership or corporation consisting of more than one person shall entitle such
 10 real estate broker to designate one of its officers or members, who upon com-
 11 pliance with the terms of this Act shall, without the payment of any further
 12 fee, upon issuance of said broker's certificate be entitled to perform all of the

13 acts of a real estate broker contemplated by this Act. The person so designated,
14 however, and each other member or officer desiring to participate actively in
15 the business of such copartnership, association or corporation, must make appli-
16 cation for a broker's certificate, which application shall accompany the applica-
17 tion of the real estate broker, and be filed with the department at the same
18 time as the application of the real estate broker for certificate, the application
19 of each such other member or officer to be accompanied by a fee of two dollars,
20 which fee shall be one dollar in the case of a renewal. If in any case the person
21 so designated by a real estate broker shall be refused a certificate by the de-
22 partment, or in case such person ceases to be connected with such real estate
23 broker, said broker shall have the right to designate another person, who shall
24 make application as in the first instance. Every application for a certificate
25 under the provisions of this Act shall be accompanied by the registration fee
26 herein prescribed and every certificate shall expire on the thirty-first day of
27 December of each year. In the absence of any reason or condition which might
28 warrant the refusal of the granting of a certificate, the department shall issue
29 a new certificate for each ensuing year upon receipt of the written request of the
30 registrant and the annual fee therefor as herein required. The revocation of a
31 broker's certificate shall automatically suspend every real estate salesman's
32 certificate granted to any person by virtue of his employment by the broker
33 whose certificate has been revoked, pending a change of employer and the issu-
34 ance of a new certificate. Such new certificate shall be issued without charge, if
35 granted during the same year in which original certificate was granted.

Sec. 9. It shall be unlawful for any real estate salesman to accept a com-
2 mission or valuable consideration for the performance of any of the acts herein
3 specified from any person, except his employer who, if a real estate broker,
4 must be registered under the provisions hereof.

Sec. 10. The Department may upon its own motion and shall upon the
2 verified complaint in writing of any person, provided such complaint, or such

3 complaint together with evidence, documentary or otherwise, presented in con-
4 nection therewith, shall make out a *prima facie* case, investigate the actions
5 of any real estate broker or real estate salesman or any person who shall
6 assume to act in either such capacity within this State and shall have the
7 power to suspend for a period less than the unexpired portion of the period for
8 which a Certificate of Registration shall have been issued, or to revoke any cer-
9 tificate issued under the provisions of this Act at any time where the registrant,
10 in performing or attempting to perform any of the acts mentioned herein, is
11 deemed to be guilty of:

12 (a) Making any substantial misrepresentation, or

13 (b) Making any false promises of a character likely to influence, persuade
14 or induce, or

15 (c) Pursuing a continued and flagrant course of misrepresentation or the
16 making of false promises through agents or salesmen or advertising or other-
17 wise, or

18 (d) Acting for more than one party in a transaction without the knowl-
19 edge of all parties for whom he acts, or

20 (e) Representing or attempting to represent, a real estate broker other
21 than the employer, without the express knowledge and consent of the em-
22 ployer, or

23 (f) Failure to account for or to remit for any moneys coming into his
24 possession which belongs to others, or

25 (g) Paying a commission or valuable consideration to any person for acts
26 or services performed in violation of this Act.

27 (h) Having demonstrated unworthiness or incompetency to act as a real
28 estate broker or salesman in such manner as to safeguard the interests of the
29 public.

30 (i) Any other conduct whether of the same or a different character from
31 that hereinbefore specified, which constitutes dishonest dealing.

32 This Act shall not be construed to relieve any person from civil liability or
33 criminal prosecution under the general laws of this State.

34 Each complaint in this section provided for shall be accompanied by a fee
35 of ten dollars, which shall be turned over to the State Treasurer by the
36 Department.

Sec. 11. The Department shall, before suspending or revoking any cer-
2 tificate and at least ten days prior to the date set for the hearing, notify in
3 writing the holder of such certificate of any charges made and shall afford
4 said registrant an opportunity to be heard in person or by counsel in reference
5 thereto. Such written notice may be served by delivery of same personally to
6 the registrant or by mailing same by registered mail to the last known busi-
7 ness address of such registrant. If said registrant be a salesman, the Depart-
8 ment shall also notify the broker employing him of the charges, by mailing
9 notice by registered mail to the broker's last known business address. The
10 hearing on such charges shall be at such time and place as the Department shall
11 prescribe. The Department shall have the power to subpoena and bring before
12 it any person in this State or take testimony of any such person by deposition,
13 with the same fees and mileage in the same manner as prescribed by law in
14 judicial procedure in courts of this State in civil cases. If the Department shall
15 determine that any registrant is guilty of a violation of any of the provisions
16 of this Act, said certificate shall be suspended or revoked.

Sec. 12. Any Circuit Judge or any Judge of a Circuit Court, either in term
2 time or vacation, upon application of the applicant, registrant or of the
3 Department of Registration and Education, may, by order duly entered, require
4 the attendance of witnesses and the production of relevant books and papers
5 before the Department of Registration and Education in any hearing relating
6 to the refusal, suspension or revocation of certificates of registration. Upon
7 refusal or neglect to obey the order of the Court or Judge, the Court or Judge
8 may compel by proceedings for contempt of court obedience of its or his order.

Sec. 13. Any unlawful act or violation of any of the provisions of this Act
2 upon the part of any real estate salesman, or employe, of a registered real
3 estate broker, shall not be cause for the revocation of the certificate of any real
4 estate broker, partial or otherwise, unless it shall appear to the satisfaction of
5 the Department that the real estate broker had guilty knowledge thereof.

Sec. 14. A non-resident of this State other than a corporation not qualified to
2 do business in this State may become a real estate broker or a real estate sales-
3 man by conforming to all of the conditions of this paragraph and this Act.
4 Every non-resident applicant, who shall be an individual, copartnership or asso-
5 ciation, shall file an irrevocable consent that suits and actions may be com-
6 menced against such applicant in the proper court of any county of this State
7 in which a cause of action may arise in which the plaintiff may reside, by the
8 service of legal process on the Director of Registration and Education, said con-
9 sent stipulating and agreeing that such service of such process on said director
10 shall be taken and held in all courts to be as valid and binding as if due service
11 had been made upon said applicant in the State of Illinois. Said instrument
12 containing such consent shall be authenticated by the acknowledged signature
13 of every member thereof, in the case of a copartnership or association. In
14 case any process mentioned in this Act is served upon the Director of Registra-
15 tion and Education, it shall be his duty to forward a copy of the process by
16 registered mail to the main office of the applicant against which said process
17 is directed.

Sec. 15. The department shall at least semi-annually publish a list of the
2 names and addresses of all registrants registered by it under the provisions of
3 this Act, and of all persons whose certificates have been suspended or revoked
4 within one year, together with such other information relative to the enforce-
5 ment of the provisions of this Act as it may deem of interest to the public.
6 One of such lists shall be mailed to the county clerk in each county of the State
7 and shall be held by said county clerk as a public record. Such lists shall also
8 be mailed by the department to any person in the State upon request.

Sec. 16. None of the functions and duties enumerated in this Act shall be
2 exercised by the Department of Registration and Education, except upon the
3 action and report in writing of a board composed of three men, designated from
4 time to time by the Department of Registration and Education to take such
5 action and to make such report. No person shall be eligible to serve upon said
6 board, unless his principal vocation for a period of at least ten years prior to
7 the date of his appointment, shall have been that of a real estate broker or a
8 real estate salesman. Each member of said board shall receive as full compen-
9 sation for each day actually spent on the work thereof, the sum of twenty-five
10 dollars per day and his actual and necessary expenses incurred in the perform-
11 ance of duties pertaining to his office.

Sec. 17. If any section, subsection, sentence, clause, phrase or requirement
2 of this Act is for any reason held to be unconstitutional, such decision shall not
3 affect the validity of the remaining portions of this Act. The legislature hereby
4 declares that it would have passed this Act, and each section, subsection, sen-
5 tence, clause, phrase and requirement thereof irrespective of the fact that any
6 one or more sections, subsections, sentences, clauses, phrases or requirements
7 be declared unconstitutional.

Sec. 18. Any person or corporation violating the provisions of this Act
2 shall upon conviction thereof, if a person, be punished by a fine of not less than
3 one hundred dollars nor to exceed the sum of two thousand dollars, or by im-
4 prisonment for a term not to exceed two years or by both such fine and impris-
5 onment, in the discretion of the court, and if a corporation, be punished by a
6 fine of not to exceed five thousand dollars. Any officer or agent of a corpora-
7 tion, or member or agent of a copartnership or association, who shall person-
8 ally participate in or be accessory to any violation of this Act by such cor-
9 poration, copartnership or association, shall be subject to the penalties herein
10 prescribed for individuals.



- 1 Introduced by Mr. Sonneman, March 9, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to county health commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* On or before January 1, 1922, the county
2½ board of each county of this State which had for the year 1920 a total equalized
3 assessed property valuation of not less than five million dollars, shall appoint
4 a medical county health commissioner.

5 The county board of any county which in 1920 had a total equalized assessed
6 property valuation of less than five million dollars may, in its discretion, appoint
7 a medical county health commissioner; and the county boards of any two such
8 counties, which are adjacent the one to the other, may, by joint action, appoint
9 a joint medical county health commissioner.

Sec. 2. Each medical county health commissioner, and each joint medical
2 county health commissioner, appointed by the authority given in this Act, shall
3 devote his entire time to his work and duties as health commissioner and shall
4 not engage in the private practice of medicine in any manner and shall not

5 engage actively in any other business or profession. He shall receive such com-
6 pensation as the county board may provide, and shall be provided by the county
7 board with such funds as are needed to administer this Act. In the case of a
8 joint medical county health commissioner, his compensation and expenses shall
9 be paid by the two counties for which he is appointed, each county to pay in
10 proportion to its respective equalized assessed property valuation.

Sec. 3. Each health commissioner appointed by authority of this Act, shall
2 have all the powers of a peace officer within the jurisdiction for which he is ap-
3 pointed for the enforcement of all laws, ordinances, and lawful rules and orders
4 relating to health, sanitation and nursing, and it shall be his duty to see that all
5 such laws, ordinances, rules and orders are enforced. Each health commission-
6 er shall be governed at all times by the rules of the Department of Public
7 Health, and shall be a subordinate to the Department of Public Health and
8 shall be a part of the State system for the prevention of disease and the promo-
9 tion of public health. He shall be the superior health officer within the jurisdic-
10 tion for which he is appointed but in any public health district or in any city
11 which has a health officer who devotes his entire time to his duties as health
12 officer, the duties of the county health commissioner shall be advisory only,
13 unless the county health commissioner is requested by the local health officer to
14 assist him.



1 Introduced by Mr. Tice, March 10, 1921.

2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act in relation to State highways.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* This Act establishes a system of State
2 highways.

Sec. 2. The system of State highways shall comprise the following roads:

2 (1) All highways heretofore selected and designated as "State Aid
3 Roads" under "An Act to revise the law in relation to roads and bridges,"
4 approved June 27, 1913, in force July 1, 1913, and amendments thereto;

5 (2) All highways heretofore constructed, or authorized to be constructed,
6 under Section 15d of "An Act to revise the law in relation to roads and bridges,"
7 approved June 27, 1913, in force July 1, 1913, and amendments thereto;

8 (3) All highways authorized to be constructed under "An Act in relation to
9 the construction by the State of Illinois of a Statewide system of durable hard-
10 surfaced roads upon public highways of the State and the provision of means for

11 the payment of the cost thereof by an issue of bonds of the State of Illinois,"
 12 approved June 22, 1917, adopted by vote of the people November 5, 1918;

13 (4) All highways constructed, or authorized to be constructed, by the State
 14 and Federal governments, and known as "Federal Aid Roads;" and

15 (5) All highways hereafter added to and included within such system pur-
 16 suant to this Act.

17 Such highways shall be known as "State Highways."

Sec. 3. Additional mileage may be added to the State highway system in the
 2 manner provided by Article IV of "An Act to revise the law in relation to roads
 3 and bridges," approved June 27, 1913, in force July 1, 1913, and amendments
 4 thereto heretofore or hereafter made.

Sec. 4. The department of public works and buildings shall, on or before
 2 September 1, A. D. 1921, file in the department a map of the State highways
 3 herein described and defined. Where the description of any route herein given
 4 states the beginning or termination or intermediate points of the route to be at
 5 an indefinite or unidentified point, such point or place shall be definitely identi-
 6 fied and determined by the department. Such map shall have outlined thereon
 7 the exact location of the State highways composing such system, including cross-
 8 roads, cities, villages, towns and other important points or places, and, when
 9 filed, shall fully and legally establish such system. All changes and additions to
 10 the State highway system shall also be noted on such map. A copy of such map
 11 together with a copy of such changes, if any, shall be filed in the office of the
 12 county clerk of each county.

Sec. 5. The department of public works and buildings is charged with the
 2 administration of this Act.

Sec. 6. The department of public works and buildings, in addition to, and
 2 not in limitation of, its general powers shall have power:

3 (1) To determine and adopt rules, regulations and specifications and to
4 enter into contract covering all matters and things incident to the location, re-
5 location, construction, re-construction, repair, improvement and maintenance of
6 State highways;

7 (2) To divide the State highway system into sections or districts for the
8 purpose of repair and maintenance and to repair and maintain such sections or
9 districts either by a patrol repair sytem or by a gang repair system;

10 (3) To employ and discharge, without reference to the State civil service
11 Act, all engineers, draftsmen, surveyors, agents, superintending or expert help,
12 foremen, repair men and laborers necessary in the construction, maintenance
13 and repair of State highways;

14 (4) To purchase, rent and acquire all machinery, implements, tools and
15 material incident to or necessary in the location, re-location, construction, re-con-
16 struction, repair, improvement and maintenance of State highways;

17 (5) To purchase, acquire and maintain tractors, trucks, wagons and other
18 vehicles, as well as horses, mules and harness, which shall be used in connection
19 with work on State highways;

20 (6) To purchase and acquire quarries, gravel pits, sand pits, cement rock or
21 other natural deposits of road material to be used in the construction and mainte-
22 nance of State highways, and to quarry, dig, manufacture, prepare and use such
23 material or deposits in such construction and maintenance or to sell, furnish and
24 supply the same to contractors engaged in constructing, improving or maintain-
25 ing State highways;

26 (7) To erect such buildings and to purchase such machinery, utensils, tools
27 and equipment as may be necessary or essential for the proper prosecution of
28 the work of quarrying, digging, preparing or manufacturing stone, gravel,
29 cement and other natural deposits, pursuant to the foregoing provision, for use
30 in the construction and maintenance of State highways and to employ all labor
31 required for the operation thereof;

- 32 (8) To exercise police jurisdiction over all State highways and to prescribe
 33 reasonable rules and regulations for the use of State highways; and
 34 (9) To do and perform whatever may be necessary or desirable to effectuate
 35 the object and purposes of this Act.

Sec. 7. The highways designated in this Act as State highways shall be
 2 taken over from the several towns, cities, villags and road districts by the De-
 3 partment of Public Works and Buildings as rapidly as the appropriations made
 4 for repair, improvement and maintenance thereof permit. Before any high-
 5 way, or part thereof, forming a portion of the State highway system, is taken
 6 over the Department of Public Works and Buildings shall notify in writing the
 7 commissioner of highways of the town or road district, the mayor of the city,
 8 or the president of the board of trustees of the village of its intention so to do,
 9 and of the date when it will assume the maintenance and care thereof.

Sec. 8. When a part or portion off the highway shall have been taken over
 2 it shall thereafter be constructed, re-constructed, repaired, improved and main-
 3 tained by the State in accordance withe provisions of this Act.

Sec. 9. Parts and portions of the State highway system shall be taken over
 2 by the Department of Public Works and Buildings ratably among the several
 3 counties of the State in the proportion that the total mileage of the system
 4 within the county bears to the total mileage of the system within the State.

Sec. 10. The Department of Public Works and Buildings may adopt the
 2 boundaries and lines of the existing highways or it may lay out such State high-
 3 way at a width greater or less than the existing highway.

Sec. 11. The Department of Public Works and Buildings may deviate from
 2 any part or portion of the route as delineated on the official map:

3 (1) To widen narrow portions;

4 (2) Because it is dangerous or inconvenient to the traveling public in its
 5 present location;

(3) To eliminate steep grades and dangerous turns;

(4) Materially to reduce or lessen expense of construction, re-construction, repair and maintenance by the selection of a more available and less expensive portion of the route; or

(5) To promote public convenience and safety.

The new route shall become a portion of the State highway and the portion abandoned, if kept open for public travel, shall revert to the control and jurisdiction of local road authorities.

Sec. 12. Except where the part or portion of a State highway is constructed, built or improved pursuant to some other Act, the Department of Public Works and Buildings may construct, re-construct, build, re-build, repair or improve parts or portions of the State highway system either

(1) By contract; or

(2) By the officers, agents, servants and employees of the department, the department furnishing the necessary materials and equipment therefor.

Sec. 13. If the Department of Public Works and Buildings shall construct, re-construct, build, re-build, repair or improve parts or portions of State highways by contract, it shall:

(1) Prepare detailed plans, specifications and estimates therefor;

(2) Advertise for bids therefor in the "official newspaper" and in a newspaper published in the county where the works, or the greater portion thereof is to be done, and in such other newspapers as it may select, such advertisement to be published at least once each week for two successive weeks;

(3) Publicly open the bids on the day and hour and at the place mentioned in the advertisement;

(4) Award the contract to the lowest responsible bidder therefor, with the option to the department, however, to reject any bid; and

(5) Shall, in case all bids are rejected, re-advertise in the manner herein provided.

Sec. 14. No machinery, tools, implements or material incident to or necessary in the construction, building, repairing, maintaining or improving State highways exceeding the estimated value of \$1,000.00 shall be purchased by the Department of Public Works and Buildings, except upon the following conditions:

(1) Advertisements for bids for furnishing such machinery, tools, implements or material shall be published for at least three days, the first and last of which publications shall be at least ten days apart, in one or more newspapers of general circulation published in each of the seven largest cities of the State, and also in the "official newspaper";

(2) The bids shall be publicly opened on the day and hour and at the place mentioned in the advertisement;

(3) Any bid may be rejected and when all bids are rejected, a re-advertisement shall be made in the manner herein provided.

Sec. 15. The Department of Public Works and Buildings is vested with the right to acquire any land, rights or other property necessary for the construction, repair or maintenance of State highways, or necessary for re-locating, widening or straightening any State highway, or necessary for any other purpose or use contemplated by this Act by the exercise of the right of eminent domain under the eminent domain laws of this State.

Sec. 16. The Department of Public Works and Buildings may close temporarily to traffic any portion of a State highway for the purpose of constructing, repairing or making improvements thereon. When a portion of a State highway is so closed, the Department of Public Works and Buildings shall arrange and maintain efficient detours around the portion of the State highway which is closed. Such detour shall be plainly and conspicuously marked with signs by which traffic may be guided around that part of the highway so closed.

Sec. 17. Any part or portion of the State highway system, not taken over
2 by the Department of Public Works and Buildings, shall remain under the juris-
3 diction and control of the proper local authorities.

Sec. 18. Any work of improvement, repair, or maintenance on such part or
2 portion not taken over shall be carried out and executed in accordance with
3 the general policy and character of repair, improvement or maintenance of high-
4 ways as may be promulgated by the rules and regulations of the department, or,
5 if requested by the local authorities, by the particular directions and specifica-
6 tions prescribed by the department.

Sec. 19. For the purpose of improving, repairing and maintaining parts
2 or portions of the State highway system not taken over by the Department of
3 Public Works and Buildings, the county board is vested with power and au-
4 thority to levy taxes and to appropriate from the county treasury moneys to be
5 used either by the county itself or jointly with it and any township or road dis-
6 trict in the county in the improvement, repair or maintenance of parts or por-
7 tions of the State highway not taken over.

Sec. 20. For the purpose of improving, repairing or maintaining any part
2 or portion of the State highway system not taken over by the Department of
3 Public Works and Buildings, the town or road district may, in its discretion,
4 in addition to other taxes, levy a "State highway maintenance tax" annually
5 of not to exceed *two* mills on the dollar of the assessed value of the property
6 within the town or road district. Such "State highway maintenance tax" shall
7 be levied, assessed and collected as other road and bridge taxes. The proceeds
8 of the tax, when collected, shall be kept as a separate fund and shall be used
9 for the improvement, repair and maintenance of State highways not taken over
10 by the Department of Public Works and Buildings, and for no other purpose.

Sec. 21. The Department of Public Works and Buildings may, in its dis-
2 cretion, enter into contract with the highway commissioner of any town or road

3 district, or with the county board of any county, or into contract jointly with
 3 the commissioner of any town or road district and the county board, for co-
 4 operation in the construction, improvement, repair and maintenance of any
 5 portion of the State highway.

Sec. 22. Except under such conditions, restrictions and regulations as
 2 shall be prescribed by the Department of Public Works and Buildings, no rail-
 3 road or street or interurban railway or tram railway shall be constructed upon
 4 and no gas pipe, water pipe, electric conduits, or other piping be laid upon or in,
 5 and no telegraph, telephone; electric light or power poles, or other poles or
 6 wires be erected upon or in any State highway.

Sec. 23. The Department of Public Works and Buildings shall erect and
 2 maintain standard guide and warning signs, of uniform design, throughout the
 3 State highway system. It shall erect and maintain at cross or intersecting
 4 roads, also uniform as to design, distance boards, giving directions and dis-
 5 tances to cities, towns, villages and other principal points.

Sec. 24. Nothing contained in this Act shall be construed to modify, amend
 2 or repeal existing laws relative to the construction or improvement of State
 3 aid roads, State bond issue roads, Federal aid roads or roads constructed under
 4 Section 15d of the Road and Bridge Act.



- 1 Introduced by Mr. Young, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 1 of Article VII of "An Act to revise the law in relation to township organization," approved and in force March 4, 1874 as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 1 of Article VII of "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended, is amended to read as follows:*

ARTICLE VII.

SECTION 1. At the annual town meeting in each town, there shall be elected by ballot, one supervisor (who shall be *ex-officio overseer* of the poor), one town clerk, and, *in counties under township organization having a population of 100,000 or over*, one collector, who shall severally hold their offices for two years and until their successors are elected and qualified, and such justices of the peace, constables and highway commissioners as are provided by law. In any town or city not included within the limits of any town (except in Cook County), having 4,000 inhabitants, there shall be elected one additional supervisor to be styled

9 assistant supervisor; in towns having 6,500 inhabitants, there shall be elected
10 two assistant supervisors; and so for every additional 2,500 inhabitants, there
11 shall be elected one additional supervisor, the population of towns to be ascer-
12 tained by the last Federal or state census preceding the election.

13 In counties under township organization, now having a population of less
14 than 100,000, there shall hereafter be no town collector elected, but the county
15 collector shall be *ex-officio* town collector, and all the duties of the town collector
16 shall devolve upon and be performed by the county collector. Nothing herein
17 shall affect the terms, duties or compensation of town collectors elected before
18 the taking effect of this Act.

19 *There shall hereafter be no township assessor elected. All the duties of the*
20 *township assessor in counties under township assessor in counties under town-*
21 *ship organization, having a population of 125,000 inhabitants or over, shall de-*
22 *volve upon and be performed by the board of assessors. Township assessors in*
23 *other counties shall hold office until a county assessor in and for their county has*
24 *been appointed (or elected) and qualified, whereupon the duties of the township*
25 *assessor shall devolve upon and be performed by the county assessor. Other-*
26 *wise, nothing herein shall affect the duties or compensation of township assess-*
27 *ors elected before the taking effect of this section.*



- 1 Introduced by Mr. Young, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 2, 3, 4, 6, 21, 22, 26 and 57 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, in force July 1, 1898, as amended, to add Sections 14a, 14b, and 48a thereto, and to repeal Section 24 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 2, 3, 4, 6, 21, 22, 26 and 57 of
3 "An Act for the assessment of property and providing the means therefor, and
4 to repeal a certain Act therein named," approved February 25, 1898, in force
5 July 1, 1898, as amended, are amended and Sections 14a, 14b, and 48a are added
6 thereto, the amended and added sections to read as follows:

Sec. 2. In counties under township organization of less than 125,000 in-
2 habitants, the county *assessor* shall be supervisor of assessments in his county.
3 He shall have a suitable office, to be provided and furnished by the county
4 board, in which he shall keep, subject to the inspection of all persons who shall
5 desire to consult the same, the assessment books returned to him as directed by

6 law. He shall keep his office open for business from 9 o'clock a. m. to 5 o'clock
 7 p. m. of every day except Sundays and legal holidays. He may, by and with the
 8 advice and consent of the county board, appoint necessary *deputy assessors* and
 9 clerks, their compensation to be fixed by the county board and paid by the
 10 county. The supervisor of assessments shall, on or before the first day of
 11 April in each year, assemble all *deputy assessors* for consultation, and shall give
 12 such instructions to them as shall tend to a uniformity in the action of the
 13 *deputy assessors* in his county. Any *deputy assessor* who shall willfully refuse
 14 or neglect to observe or follow the direction of the supervisor of assessments,
 15 which shall be in accordance with law, shall, upon conviction thereof in any
 16 court of competent jurisdiction, for each offense, be fined not less than fifty dol-
 17 lars nor more than five hundred dollars, or be confined in the county jail not
 18 exceeding six months, in the discretion of the court.

Sec. 3. In all counties of this State containing one hundred twenty-five
 2 thousand or more inhabitants there is hereby created and established a board
 3 of assessors, consisting of five persons, not more than four of whom shall be
 4 residents of any one city, to be known as the board of assessors of said county.
 5 At the regular county election to be held in such county in the year 1898 for
 6 the election of county officers there shall be elected by the legal voters of said
 7 county five assessors, whose terms of office shall commence on the first day of
 8 January next ensuing, who shall hold their office, two for two years, two for
 9 four years, and one for six years, respectively, and until their successors are
 10 elected and qualified. And every two years thereafter, at the regular county
 11 election in said county for the election of county officers, there shall be elected
 12 an assessor, or two assessors, as the case may be, to succeed the assessor or
 13 assessors whose term of office shall expire that year, whose term of office shall
 14 commence on the first day of January next following, and shall be six years in
 15 duration and until his or their successors shall be elected and qualified. The
 16 assessors so elected shall qualify within ten days after the canvass of the vote is

17 completed. Such assessors shall hold no other lucrative public office or public
18 employment. Each of said assessors, before entering upon the duties of his
19 office, shall take and subscribe the oath provided for in this Act. At the first
20 meeting of the board of assessors they shall determine by lot which of them
21 shall hold office for the respective terms. The chairman of the board shall be
22 the person having the shortest term to serve. In the years when two persons
23 shall be serving the shortest term it shall be determined by lot which of such
24 two persons shall be chairman. Each assessor shall receive as compensation
25 such sum as may be fixed by the county board, to be paid out of the county
26 treasury.

27 In case of any vacancy in said board, or the failure of any person elected
28 to that office to qualify, the board of review provided for in such counties may
29 appoint a person to fill such vacancy until his successor shall be elected and
30 shall qualify, and an assessor to fill such vacancy shall be elected at the next
31 regular county election.

32 Said board of assessors shall have power to employ a chief clerk, who shall
33 have charge of the office of such board, and such other clerical help as may be
34 necessary, subject to the approval of the board of review as to the number
35 thereof, who shall hold office during the pleasure of the board, and who shall be
36 present and in attendance at all proper business hours. Such chief clerk shall
37 take and subscribe an oath of office that he will honestly and faithfully perform
38 all duties of such office under the direction of said board, and he shall have power
39 to administer all oaths authorized by law to be administered by assessors, and
40 the compensation of such clerk shall be fixed by such board, subject to the
41 approval of the board of review.

Sec. 4. Every assessor, supervisor of assessments *and deputy assessor*
2 shall, before he enters upon the duties of his office, enter into a bond, payable
3 to the people of the State of Illinois in the sum of two thousand dollars or such
4 larger sum as the county board shall determine, with two or more sufficient

5 sureties, to be approved by the president or chairman of the county board, ex-
 6 cept in the case of the supervisor of assessments, whose bond shall be approved
 7 by the county board. The condition of the bond shall be that such assessor,
 8 supervisor of assessments, *or deputy assessor*, as the case may be, will dili-
 9 gently, faithfully and impartially perform each and singular the duties enjoined
 10 upon him by law. Such bond shall be filed in the office of the county clerk and
 11 recorded at large in a book to be provided for such bonds. The state, county,
 12 town or municipality, corporation or person suffering any loss or damage by
 13 reason of any failure to keep and perform any of the conditions of the bond
 14 to the best of his ability may recover thereon for their or his use by suit in the
 15 name of the people of the State of Illinois. And every assessor, deputy assessor
 16 or supervisor of assessments shall, also, before entering upon the duties of his
 17 office, take and subscribe to an oath, which oath shall also be filed in the office of
 18 the county clerk, *which oath shall be as follows:*

19 I do solemnly swear (or affirm) that I will support the constitution of the
 20 United States and the constitution of the State of Illinois, and that I will faith-
 21 fully discharge all the duties of the office of assessor, deputy assessor or super-
 22 visor of assessments (as the case may be) to the best of my ability; that I will
 23 without fear or favor appraise all property in said county at its fair cash value,
 24 said value to be ascertained at what the property would bring at a voluntary
 25 sale in the due course of business and trade; and that I will assess said prop-
 26 erty when so appraised at *one-half* of its said cash value; that I will cause every
 27 person, company or corporation assessed to sign his, her or its assessment sched-
 28 ule, and I will administer to each and every person so signing said assessment
 29 schedule the oath thereon, and return said schedule so signed and file the same
 30 with the county clerk *or county assessor (as the case may be).*

Sec. 6. The board of assessors shall have power to appoint as many suit-
 2 able persons as in their judgment are necessary to act as deputies, subject to
 3 the approval of the board of review as to the number and time of service of

4 such deputies to assist them in making the assessment, who shall perform
5 such duties as may be assigned to them by the board of assessors. They shall
6 hold their office during the will of the board of assessors, and shall be paid for
7 their services out of the county treasury.

8 The board of assessors shall have power and authority to make and pur-
10 chase such maps and plats as will facilitate the business of their office, which
11 maps and plats shall always be and remain in their office, and shall be open and
12 accessible to the public.

Sec. 14a. *The owner of lands (or the occupant thereof, in case the owner*
2 *is a non-resident of this State) shall prepare and deliver to the assessor of*
3 *the county in which such lands are situated, a list of all lands, owned or occu-*
4 *pied by him, leased to oil or gas companies, stating the name and address of*
5 *the owner of the lands, the name and principal place of business of the lessee,*
6 *together with a statement of the material terms of such lease. Such list shall*
7 *be made on forms to be furnished by the Tax Commission, and shall be sworn*
8 *to. Any person who fails or refuses to prepare and deliver to the assessor*
9 *such list shall be fined not less than one hundred dollars (\$100.00) nor more than*
10 *two thousand dollars (\$2,000.00).*

Sec. 14b. *Every pipe line company having lands under lease shall, on or*
2 *before the first day of June in each year, prepare and deliver to the assessor of*
3 *the county in which such lands are located a list of all such lands in such county,*
4 *stating the name and principal place of business of such pipe line company, the*
5 *names and addresses of the lessors, together with a statement of the material*
6 *terms of each such lease. Such list shall be made on forms to be furnished by*
7 *the Tax Commission, and shall be sworn to. Any pipe line company which fails*
8 *or refuses to prepare and deliver to the assessor such list shall be fined not less*
9 *than one hundred dollars (\$100.00) nor more than two thousand dollars*
10 *(\$2,000.00).*

Sec. 21. *Each deputy* assessor shall, on or before the first day of June for
2 the year for which the assessment is made, return the assessment books to the
3 county supervisor of assessments. Each of said books shall be verified by affi-
4 davit of the *deputy* assessor substantially as follows:

5 STATE OF ILLINOIS, }
6 COUNTY OF..... } ss.

7 I do solemnly swear that the book or books.....in number, as the
8 case may be, to which this affidavit is attached, contains a full and complete
9 list of all of the real and personal property herein described subject to taxation
10 for the year.....so far as I have been able to ascertain the same, and
11 that the assessed value set down in the proper column opposite the several kinds
12 and descriptions of property is a just and equal assessment of such property
13 according to law.

Sec. 22. The supervisor of assessments of the county shall have authority
2 to assess, make changes or alterations in the assessment of property.

Sec. 26. The supervisor of assessments shall assess, make such changes or alterations in the assessment of property as though originally made, and in making such changes in valuation as returned by the *deputy* assessor such changes shall be noted in a column provided therefor, and no change shall be made in the original figures.

6 All changes and alterations in the assessment of real property shall be
7 subject to revision by the board of review in the same manner that original
8 assessments are reviewed.

Sec. 48a. *The county collector shall annually make out in duplicate a list of all corporations against which a capital stock assessment has been made, and which have failed to pay taxes levied thereon, together with any information said county collector has been able to ascertain as to whether such corporations are still engaged in business and to what extent. He shall file one of such*

6 duplicate statements with the county clerk, and the other with the Tax Com-
7 mission.

Sec. 57. In counties under township organization having a population of
2 less than 125,000 inhabitants as ascertained by the last preceding Federal or
3 state census, the county board shall appoint some suitable and competent person
4 as county assessor, and the person so appointed shall hold his office until the
5 first Monday in December, 1922, and until his successor is elected and qualified.
6 Each county assessor, appointed or elected, shall be subject to all the fines, pen-
7 alties, and removal from office, as provided in the general revenue laws of this
8 State. A vacancy from any cause, in the office of county assessor, shall be filled
9 by appointment by the county board.

Sec. 2. Section 24 of said Act is repealed.



- 1 Introduced by Mr. Young, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 189 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 189 of "An Act to establish
3 an dmaintain a system of free schools," approved and in force June 12, 1909, as
4 amended, be amended to read as follows:

Sec. 189. For the purpose of establishing and supporting free schools for
2 not *fewer* than seven months in each year and defraying all the expenses of the
3 same of every description; for the purpose of building, repairing and improving
4 school houses, or procuring *school land*, furniture, fuel, libraries and apparatus,
5 and for all other necessary incidental expenses in each district, village or city,
6 the directors, the board of education and the authorities of such district, village
7 or city, as the case may be, shall be authorized to levy a tax annually upon all the
8 taxable property of the district, village or city not to exceed, except as herein-
9 after stated, *two* per cent for educational purposes and *three-quarters of 1* per

10 cent for building purposes *and the purchase of school grounds*, upon the valua-
 11 tion to be ascertained by the last assessment for State and County taxes: Pro-
 12 vided, that any sum expended or obligations incurred for the improvement, re-
 13 pair or benefit of school buildings and property shall be paid from that portion
 14 of the tax levied for building purposes *and the purchase of school grounds*.
 15 *Provided, however, that if the directors or board of education in any district,*
 16 *village or city shall desire to levy or cause to be levied in any one year more than*
 17 *two per cent but not more than three per cent for educational purposes and more*
 18 *than three-quarters of one per cent but not more than one per cent for building*
 19 *purposes and the purchase of school grounds, such directors or board of educa-*
 20 *tion may, by resolution stating the per cent so desired, cause a proposition for*
 22 *an assent thereto to be submitted to the voters of such district, village or city at*
 23 *any general or special election, and if at such election a majority of the votes*
 24 *cast on said proposition shall be in favor thereof, the directors or board of edu-*
 25 *cation of such district, village or city may thereafter until such authcrity is re-*
 26 *voked in like manner, levy annually for education alpurposes a tax in excess of*
 27 *two per cent but not exceeding the per cent mentioned in said proposition, and a*
 28 *tax for building purposes and the purchase of school grounds, in excess of three-*
 29 *quarters of one per cent but not excceding the per cent mentioned in said propo-*
 30 *sition for such purposes. Such propositions may be submitted at any time, and*
 31 *from time to time, to the voters of such district, village or city, at any such elec-*
 32 *tion either at the instance of such directors or board of education or by petition*
 33 *for that purpose addressed to such directors or board of education and signed*
 34 *by at least five per cent of the voters of such district, village or city ascertained*
 35 *by the vote cast at the last preceding general election in said district, village or*
 36 *city; and such directors or board of education shall levy or cause to be levied no*
 37 *tax in excess of two per cent for educational purposes, or in excess of three-*
 38 *quarters of one per cent for building purposes and purchase of school grounds,*
 39 *that shall not be authorized by the result of such election ascertained as afore-*
 40 *said, unless and until assented to by the voters of such district, village or city*
 41 *in like manner.*



1 Adopted June 9, 1921.

AMENDMENT NO. 3.

Amend House Bill No. 348, by inserting in line 1 of Section 189 after the
2 figures "189" and before the word "for" the following:
3 "For the purpose of establishing and supporting free schools for not fewer
4 than seven months in each year and defraying all the expenses of the same of
5 every description; for the purpose of building, repairing and improving school
6 houses, or procuring school land, furniture, fuel, libraries and apparatus and
7 for all other necessary incidental expenses in each district, village or city, hav-
8 ing a population of two hundred thousand, or more inhabitants, the directors,
9 the board of education and the authorities of such district, village or city, as
10 the case may be, shall be authorized to levy a tax annually upon all the tax-
11 able property of the district, village or city not to exceed, except as herein-
12 after stated, one and 92/100 per cent for educational purposes and three-
13 quarters of one per cent for building purposes and the purchase of school
14 grounds, upon the valuation to be ascertained by the last assessment for State
15 and County taxes: *Provided*, that any sum expended or obligations incurred
16 for the improvement, repair or benefit of school buildings and property shall be
17 paid from that portion of the tax levied for building purposes and the purchase
18 of school grounds: *Provided, however*, that if the directors or board of educa-
19 tion in any such district, village or city shall desire to levy or cause to be
20 levied in any one year more than one and 92/100 per cent but not more than
21 two and 92/100 per cent for educational purposes and more than three-

22 quarters of one per cent but not more than one per cent for building purposes
23 and the purchase of school grounds, such directors or board of education may,
24 by resolution stating the per cent so desired cause a proposition for an assent
25 thereto to be submitted to the voters of such district, village or city at any
26 general or special election, and if at such election a majority of the votes cast
27 on said proposition shall be in favor thereof, the directors or board of educa-
28 tion of such district, village or city may thereafter until such authority is re-
29 voked in like manner, levy annually for educational purposes a tax in excess of
30 one and 92/100 per cent but not exceeding the per cent mentioned in said
31 proposition, and a tax for building purposes and the purchase of school grounds,
32 in excess of three-quarters of one per cent but not exceeding the per cent men-
33 tioned in said proposition for such purposes. Such proposition may be sub-
34 mitted at any time, and from time to time, to the voters of such district, vil-
35 lage or city, at any such election either at the instance of such directors or
36 board of education or by petition for that purpose addressed to such directors
37 or board of education and signed by at least five per cent of the voters of such
38 district, village or city ascertained by the vote cast at the last preceding gen-
39 eral election in said district, village or city; and such directors or board of
40 education shall levy or cause to be levied no tax in excess of one and 92/100
41 per cent for educational purposes, or in excess of three-quarters of one per
42 cent for building purposes and the purchase of school grounds that shall not
43 be authorized by the result of such election, ascertained as aforesaid unless
44 and until assented to by the voters of such district, village or city in like
45 manner.

46 *Provided, further,* that the directors or Board of Education in any such
47 district or city or village, which shall have adopted the provisions of an Act
48 entitled 'An Act to authorize boards of education and school directors to pro-
49 vide text books for the free use of the public schools, and to sell text books at
50 cost to the pupils who desire to purchase them and prescribing penalties for
51 the violation thereof,' approved June 28, 1919, in force July 1, 1919, may levy

52 or cause to be levied annually for the purpose of carrying out the provisions
53 of said Act, a tax of not more than 8 cents on each one hundred dollars of the
54 assessed value of all the taxable property of said district, city or village, which
55 tax shall be in addition to all other taxes herein authorized.

AMENDMENT NO. 4.

Amend House Bill No. 348 by inserting in line 5, on page 1 of the printed
2 bill, after the word "city" the words "having a population of less than two
3 hundred thousand inhabitants."

AMENDMENT NO. 5.

Amend House Bill No. 348 by inserting in line 15, on page 2 of the printed
2 bill after the word "any" the word "such."

AMENDMENT TO.

52d G. A. HOUSE BILL NO. 348 IN SENATE

1921



1 Offered by Mr. Barbour, June 17, 1921.

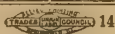
2 Ordered printed.

Mr. Barbour offered

AMENDMENT NO. 3.

Amend House Bill No. 348 as printed in the Senate, by striking out in line
2 32 of Section 189, after the word "election", the word "either" and by striking
3 out in lines 32, 33, 34, 35, and 36 of Section 189, after the word "education"
4 in line 32 the following words: "or by petition for that purpose addressed to
5 such directors or board of education and signed by at least five per cent of the
6 voters of such district, village or city ascertained by the vote cast at the last
7 preceding general election in said district, village or city"

Mr. Ettelson moved that the foregoing amendment No. 3 be laid on the
2 table, and on that question a call of the roll was had, resulting as follows:
3 Yeas, 23; nays, 21.



1 Offered by Mr. Essington, June 17, 1921.

2 Ordered printed.

AMENDMENT NO. 4.

Amend House Bill No. 348 in the Senate by striking out in line 82; of Section 189 of the printed bill, after the word "election," the word "either" and by striking out in lines 83, 84, 85 and 86 of Section 189 of the printed bill, after the word "education," in line 83, the following words: "or by petition for that purpose addressed to such directors or board of education and signed by at least five per cent of the voters of such district, village or city ascertained by the votes cast at the last preceding general election in said district, village or city."



- 1 Introduced by Mr. Byers, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the Department of Labor for the salaries of officers of the Minimum Wage Commission.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: There is appropriated to the Department of Labor for the salaries of members of the Minimum Wage Commission and Secretary of the Minimum Wage Commission, the sum of twenty thousand dollars (\$20,000), in the following items:
For salary of three members of the Minimum Wage Commission, at the rate of ten dollars (\$10.00) per day..... \$6,000 per annum
For salary of Secretary of the Minimum Wage Commission, four thousand dollars (\$4,000.00)..... \$4,000.00

Sec. 2. This appropriation is subject to the provisions of "An Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Byers, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend Section 5 of the "Civil Administrative Code of Illinois,"
approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 5 of the "Civil Administrative
3 Code of Illinois," approved March 7, 1917, in force July 1, 1917, as amended,
4 is amended to read as follows:

Sec. 5. In addition to the directors of departments, the following executive
2 and administrative officers, boards and commissions, which said officers, boards
3 and commissions in the respective departments shall hold offices hereby created
4 and designated as follows:

5 IN THE DEPARTMENT OF FINANCE:

- 6 Assistant Director of Finance;
7 Administrative Auditor;
8 Superintendent of Budget;
9 Superintendent of Department Reports;

10 Statistician;
 11 The Tax Commission, which shall consist of three officers designated
 12 as tax commissioners.

13 IN THE DEPARTMENT OF AGRICULTURE:

14 Assistant Director of Agriculture;
 15 General Manager of the State Fair;
 16 Superintendent of Foods and Dairies;
 17 Superintendent of Animal Industry;
 18 Superintendent of Plant Industry;
 19 Chief Veterinarian;
 20 Chief Game and Fish Warden;
 21 The Food Standard Commission, which shall consist of the Superintend-
 22 ent of Foods and Dairies and two officers designated as food
 23 standard officers.

24 IN THE DEPARTMENT OF LABOR:

25 Assistant Director of Labor;
 26 Chief Factory Inspector;
 27 Superintendent of Free Employment Offices;
 28 Chief Inspector of Private Employment Agencies;
 29 The Industrial Commission, which shall consist of five officers desig-
 30 nated as industrial officers;
 31 *The Minimum Wage Commission, which shall consist of three officers*
 32 *designated minimum wage commissioners;*
 33 *Secretary of the Minimum Wage Commission.*

34 IN THE DEPARTMENT OF MINES AND MINERALS:

35 Assistant Director of Mines and Minerals;
 36 The Mining Board, which shall consist of four officers designated as
 37 mine officers and the director of the Department of Mines and
 38 Minerals;

39 The Miners' Examining Board, which shall consist of four officers,
40 designated miners' examining officers.

41 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

42 Assistant Director of Public Works and Buildings;
43 Superintendent of Highways;
44 Chief Highway Engineer;
45 Supervising Architect;
46 Supervising Engineer;
47 Superintendent of Waterways;
48 Superintendent of Printing;
49 Superintendent of Purchases and Supplies;
50 Superintendent of Parks.

51 IN THE DEPARTMENT OF PUBLIC WELFARE:

52 Assistant Director of Public Welfare;
53 Alienist;
54 Criminologist;
55 Fiscal Supervisor;
56 Superintendent of Charities;
57 Superintendent of Prisons;
58 Superintendent of Pardons and Paroles.

59 IN THE DEPARTMENT OF PUBLIC HEALTH:

60 Assistant Director of Public Health;
61 Superintendent of Lodging House Inspection.

62 IN THE DEPARTMENT OF TRADE AND COMMERCE:

63 Assistant Director of Trade and Commerce;
64 Superintendent of Insurance;
65 Fire Marshal;
66 Superintendent of Standards;

67 Chief Grain Inspector;
68 The Public Utilities Commission, which shall consist of five officers,
69 designated public utility commissioners;
70 Secretary of the Public Utility Commission.

71 IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

72 Assistant Director of Registration and Education;

73 Superintendent of Registration;

74 The Normal School Board, which shall consist of nine officers, to-
75 gether with the director of the department and the Superintendent
76 of Public Instruction.

77 The above named officers, and each of them, shall, except as otherwise pro-
78 vided in this Act, be under the direction, supervision and control of the director
79 of their respective departments, and shall perform such duties as such director
80 shall prescribe.



- 1. Introduced by Mr. Byers, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.



A BILL

For an Act making an appropriation to the Department of Labor for the Minimum Wage Commission.



SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The sum of sixteen thousand dollars
3 (\$16,000.00) is appropriated to the Department of Labor for the Minimum Wage
4 Commission for the purposes hereinafter named for the biennium beginning July
5 1, 1921, and until the expiration of the first fiscal quarter after the adjournment
6 of the next General Assembly, to-wit:

- 7 For traveling expenses of commissioners and their em-
- 8 ployees\$2,000.00 per annum
- 9 For traveling expenses of Wage Boards 2,000.00 per annum
- 10 For salaries and wages of employees of Minimum Wage
- 11 Commission and Wage Boards..... 3,000.00 per annum
- 12 For equipment of offices and office expenses 1,000.00 per annum

Sec. 2. Appropriations herein made are subject to all the provisions of "An
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Byers, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to protect the health, morals and welfare of women and minors employed in industry by establishing a minimum wage commission and providing for the determination of minimum wages for women and minors.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:*

3 DEFINITIONS.] Where used in this Act—

4 The term “commission” means the Minimum Wage Commission created by
5 section two;

6 The term “woman” includes only a woman of eighteen years of age or over;

7 The term “minor” means a person of either sex under the age of eighteen years;

8 The term “occupation” includes a business, industry, trade, or branch
9 thereof, but shall not include domestic service.

Sec. 2. MINIMUM WAGE COMMISSION.] A minimum wage commission is
2 hereby created, consisting of three commissioners, to be appointed by the gover-
3 nor, by and with the advice and consent of the senate, one of whom shall be a

4 woman and one of whom shall be designated by the governor as chairman. As
 5 far as practicable, the members shall be so chosen that one will be representative
 6 of employees, one representative of employers, and one representing the public.
 7 This Commission shall be under the Department of Labor. The term of office of
 8 appointive members of the commission shall be for three years, except that the
 9 first members thereof shall be appointed for such terms that the term of one
 10 member shall expire on February first, nineteen hundred and twenty-two and on
 11 February first of every succeeding year. Successors shall be appointed in like
 12 manner for a full term of three years. Vacancies shall be filled in like manner
 13 by appointment for the unexpired time. The commission shall publish an offi-
 14 cial bulletin from time to time and shall make a biennial report to the legislature
 15 of its investigations and proceedings on or about the first day of February. A
 16 majority of the members shall constitute a quorum to transact business, and the
 17 act or decision of such a majority shall be deemed the act or decisions of the com-
 18 mission; and no vacancy shall impair the right of the remaining members to
 19 exercise all the powers of the commission.

Sec. 3. SECRETARY AND OTHER EMPLOYEES.] The governor shall also, by and
 2 with the advice and consent of the senate, appoint a secretary of the commission
 3 who shall be a woman and who shall not be a member of the commission and
 4 whose compensation shall be four thousand dollars per year. The commission
 5 may, subject to the civil service laws of this State, appoint such other em-
 6 ployees as are needed to carry out the provisions of this Act. The authority
 7 and duties of all subordinates and employees and their compensation within the
 8 limits of the amounts appropriated therefor shall be fixed by the commission.

Sec. 4. SALARIES AND EXPENSES.] Each commissioner shall be paid ten dol-
 2 lars for each day's service. The commissioners and their subordinates shall be
 3 entitled to their actual and necessary expenses while traveling on the business
 4 of the commission.

Sec. 5. SESSIONS OF COMMISSION.] The commission shall hold stated meetings at least once a month during the year and shall hold other meetings at such times and places as the needs of the public service may require, which meeting shall be called by the chairman or by any two members of the commission. All meetings of the commission shall be open to the public. The commission shall keep minutes of its proceedings, showing the vote of each commissioner upon every question and records of its examinations and other official action.

Sec. 6. POWERS OF INDIVIDUAL COMMISSIONER.] Any investigation, inquiry or hearing which the commission is authorized to hold or undertake may be held or taken by or before any commissioner and the decision, or determination or order of a commissioner, when approved or confirmed by the commission and order filed in its office, shall be deemed to be the decision, determination or order of the commission. Each commissioner shall, for the purpose of this Act, have power to administer oaths, certify to official acts, take affidavits and depositions, issue subpoenas, compel the attendance of witnesses and the production of relevant books, accounts, papers, records and documents before the commission or before any wage board created pursuant to this Act.

Sec. 7. RULES.] The commission shall adopt reasonable rules regulating and providing for the method of making investigations; the conduct of hearings, investigations and inquiries; the organization and procedure of wage boards created pursuant to this Act; and otherwise for carrying into effect the provisions of this Act.

Sec. 8. TECHNICAL RULES OF EVIDENCE OR PROCEDURE NOT REQUIRED.] The commission or a commissioner or a wage board in making an investigation or inquiry or conducting a hearing shall not be bound by common law or statutory rules of evidence or by technical or formal rules of procedure.

Sec. 9. ISSUANCE OF SUBPOENAS; PENALTY FOR FAILURE TO OBEY.] The commission may require by subpoena the attendance and testimony of witnesses,

3 the production of all books, registers and other evidence relative to any mat-
 4 ters under investigation, at any such public hearing or at any session of any wage
 5 board held as hereinafter provided. In case of disobedience to a subpoena the
 6 commission may invoke the aid of the appropriate court in requiring the attend-
 7 ance and testimony of witnesses and the production of documentary evidence.
 8 In case of contumacy or refusal to obey a subpoena the court may issue an order
 9 requiring appearance before the commission, the production of documentary
 10 evidence, and the giving of evidence touching the matter in question, and any
 11 failure to obey such an order of the court may be punished by such court as a
 12 contempt thereof.

Sec. 10. DEPOSITIONS.] The commission may cause depositions of witnesses
 2 residing within or without the state to be taken in the manner prescribed by law
 3 for like depositions in civil actions in the appropriate court of the state.

Sec. 11. TO GATHER STATISTICS.] The commission shall gather such statis-
 2 tics and information as it may require.

Sec. 12. REGISTER OF WOMEN AND MINORS.] Every employer of women and
 2 minors shall keep a register of the names and addresses of and the wages paid
 3 to all women and minors employed by him, the occupation of each and the num-
 4 ber of hours that they are employed by the day or by the week, and their actual
 5 working hours for such periods, and every such employer shall on request permit
 6 the commission or any of its members or its secretary or agents to inspect such
 7 register. Every such employer shall also furnish in writing to the commission
 8 any information concerning the foregoing matters that the commission may re-
 9 quire.

Sec. 13. EXAMINATION OF BOOKS AND RECORDS.] The commission shall have
 2 power through any commissioner or authorized representative to enter the place
 3 of business of any employer of women and minors to inspect and examine any
 4 and all books, payrolls and other records that in any way appertain to or have

5 a bearing upon the question of wages, hours of labor or conditions of labor of
6 any such woman or minor workers, and to require from any such employer, full
7 and correct statements, in writing when the commission so deems necessary, of
8 the wages paid to, the hours of labor of, and the conditions of labor of all women
9 and minors in his employ.

Sec. 14. INVESTIGATION OF WAGES PAID TO WOMEN AND MINORS.] It shall be
2 the duty of the commission, and it shall have power to investigate wages and
3 working conditions in any occupation in the state in order to determine whether
4 the wages paid to women and minors employed therein are inadequate to supply
5 them with the necessary cost of living, to maintain them in good health and pro-
6 tect their morals. Such investigation shall also be made at the request of not
7 less than fifty persons engaged in any occupation in which any women or minors
8 are employed. The names of the persons making such request shall not be made
9 public.

Sec. 15. CREATION OF WAGE BOARD.] If, after such investigation, the com-
2 mission has reason to believe that a substantial number of women and minors
3 employed in the occupation investigated receive wages inadequate to supply
4 them with the necessary cost of living, to maintain them in health and protect
5 their morals, the commission shall establish a wage board consisting of not more
6 than three representatives of employers in the occupation in question and of an
7 equal number of representatives of the employees in said occupation and of an
8 equal number of disinterested persons appointed by the commission to represent
9 the public. So far as practicable the selection of members representing em-
10 ployers and employes shall be through election by employers and employees af-
11 fected respectively. The commission shall designate the chairman from among
12 the representatives of the public and shall exercise exclusive jurisdiction over
13 all questions arising with reference to the validity of the procedure and of the
14 determination of the boards. The members of wage boards shall be allowed the
15 necessary traveling and clerical expenses incurred in the performance of their

16 duties, which shall be paid as are the expenses of the commission. Members of
 17 the commission may sit with any wage board without however the right to vote
 18 in its determinations.

Sec. 16. DETERMINATION OF WAGE BOARDS.] Each wage board shall have ac-
 2 cess to all the statistics and information gathered by the commission with refer-
 3 ence to wages and conditions in any occupation under investigation and any oth-
 4 er data pertinent thereto. Each wage board shall, after a careful investigation
 5 and after such public hearings as it finds necessary, determine the amount of
 6 the minimum wage, whether by time rate or piece rate suitable for a female em-
 7 ployee of ordinary ability in such occupations or any or all of the branches
 8 thereof, and also suitable minimum wages for female learners and apprentices
 9 and the maximum length of time any woman worker may be kept at such work as
 10 a learner or apprentice, and for minors below the age of eighteen years. If the
 11 majority of the members of the wage board agree upon such wage determinations,
 12 they shall report such determinations to the commission together with a state-
 13 ment of the reasons therefor and facts relating thereto.

14 In the course of such investigation and at such public hearings, the em-
 15 ployer, or employers, affected by such investigation shall have a right to be
 16 heard and to be represented by counsel and shall have a right to produce any
 17 relevant evidence bearing upon the matter under investigation by such wage
 18 board. The employees affected by such investigation shall likewise, jointly or
 19 severally, have such right to be heard, to be represented by counsel, and to pro-
 20 duce relevant evidence.

21 Such investigation and hearing shall be had only after ten days notice shall
 22 have been given by mail to all employers and employees directly affected thereby.

Sec. 17. ACTION OF COMMISSION.] If the commission deems proper, it may,
 2 after it receives the report of the wage board, re-commit the subject or any part
 3 thereof to the same or to a new wage board. If the report of a wage board is
 4 accepted by the commission, a summary of its finding and determinations shall
 5 be published in the bulletin of the commission and in such other manner as the

6 commission may deem advisable. Copies of the full report of the wage board,
8 together with the testimony taken before it, shall be kept on file at the office of
9 the commission and open to public inspection. The commission shall hold a pub-
10 lic hearing on the report of the wage board, notice of which shall be published in
11 such newspapers as the board may prescribe, at least once, not less than thirty
12 days prior thereto, and given by mail to all parties in interest. The commission,
13 upon consideration of the report and findings of the wage board and the testi-
14 mony taken at the public hearing, shall then determine the amount of the mini-
15 mum wage by time rate or piece rate, suitable for a female employee of ordinary
16 ability in the occupation investigated, or any or all of the branches thereof,
17 and also suitable minimum wages for learners and apprentices, and the maxi-
18 mum length of time any woman worker may be kept at such work as a learner or
19 apprentice, and for minors below the age of eighteen years. Any wage board or
20 the commission may make different recommendations or determinations and the
21 commission may make different orders for the same occupation in different
22 localities in the state when, in the judgment of such wage boards or commission,
23 different conditions in different localities justify such different recommenda-
24 tions or orders.

25 The commission shall make and render such an order as may be proper or
26 necessary to adopt such minimum rates and carry the same into effect which order
27 shall take effect not less than thirty days from the date of the entry thereof, and
28 shall require all employers in the occupation affected thereby to observe and com-
29 ply with said order. After said order becomes effective, it shall be unlawful for
30 any employer to violate or disregard any of the terms or provisions thereof or to
31 employ any woman workers in any occupation covered by said order for lower
32 wages than are authorized or permitted therein.

33 A summary of the findings of the commission and its determinations and
34 orders shall be published in the bulletin of the commission and in such newspa-
35 pers as the commission may prescribe and in such other manner as the commis-
36 sion may deem advisable. The commission shall, so far as practicable, send a

37 copy of such order to every employer affected thereby and to all persons who
 38 have filed requests therefor, and every employer affected by any such order shall
 39 keep a copy thereof posted in a conspicuous place in each room in his establish-
 40 ment in which women workers are employed. If the wage board fails to submit
 41 a report within a reasonable time fixed by the commission, the subject may be
 42 referred to a new wage board or the commission itself, after notice that the
 43 board has failed to make any determination or recommendations, may proceed to
 44 hold a public hearing and determine the amount of the minimum wage in the
 45 manner hereinbefore provided.

Sec. 18. SPECIAL LICENSES.] In any occupation or branch thereof in which
 2 a minimum time rate of wages only has been fixed, the commission may issue to
 3 a woman whose earning capacity has been impaired by age or otherwise, a special
 4 license authorizing her employment for a wage less than the legal minimum wage,
 5 provided that the number of such licenses shall not exceed one-tenth of the entire
 6 number of women and minor workers in any establishment. The commission is
 7 also empowered to issue to a learner or minor, lawfully employed in any occupa-
 8 tion or branch thereof a license authorizing his or her employment for a wage
 9 less than the legal minimum wage and shall fix the proportion of learners and
 10 minors to the total working force in any establishment, with due regard to the
 11 maintenance of the standards of health, morals and welfare protected by this
 12 Act.

Sec. 19. RECONSIDERATION OF WAGE DETERMINATION.] Whenever a minimum
 2 wage rate has been established in any occupation, the commission may, on its
 3 own motion or upon petition of either employers or employees, reconvene the
 4 wage board or establish a new wage board and any recommendation made by
 5 such board or action thereby shall be dealt with in the same manner as the recom-
 6 mendation or act of a wage board.

Sec. 20. MINORS.] The commission may inquire into wages paid to minors
 2 in any occupation in which the majority of employees are minors and may, after

3 giving public hearings, determine the minimum wage suitable for such minors.
4 When the commission has made such a determination it shall proceed in the
5 same manner as if the determination had been recommended to the commission
6 by a wage board under sections sixteen and seventeen hereof.

Sec. 21. The commission shall from time to time investigate and ascertain
2 whether or not employers in this state are observing and complying with its or-
3 ders and shall report to the appropriate authority all violations of this Act.

Sec. 22. COURT REVIEW.] The commission shall cause a correct stenographic
2 report to be taken and made of the proceedings before the wage board at any
3 hearing, the correctness of which report shall be authenticated by the signature
4 of the chairman of the wage board, before which the hearing was had.

5 The determination of the commission, together with the determination of
6 the wage board, and said correct stenographic report, shall be the record of the
7 proceedings of said commission.

8 The decision of the commission acting within the powers conferred by this
9 Act shall, in the absence of fraud, be conclusive, unless reviewed, as provided in
10 this paragraph.

11 The circuit court of the county where any of the parties defendant may be
12 found shall, by writ of *certiorari* to the minimum wage commission, have pow-
13 er to review all questions presented by such record. Such a writ shall be issued
14 by the clerk of such court upon *praecipe*. Service upon any member of the min-
15 imum wage commission or the secreary thereof, shall be service on the commis-
16 sion, and service upon other parties interested shall be by *scire facias*, or
17 service may be made upon said commission and other parties in interest, by
18 mailing notice of the commencement of the proceedings and the return day of
19 the writ, to the office of said commission and the last known place of residence
20 of the other parties in interest, at leasst ten days before the return of said writ.
21 Such suit by writ of *certiorari*, shall be commenced within thirty days after the
22 decision of the commission,

23 The commission shall certify the record of their proceedings to the circuit
24 court.

25 No such writ of *certiorari* shall issue unless the party suing out such writ
26 shall, upon the filing of his *praecipe* for such writ, file with the clerk of said
27 court, a bond conditioned that if he shall not successfully prosecute said writ, he
28 will pay the costs of the proceedings in said court; and if the writ is sued out by
29 an employer or employers, it shall be further conditioned that he or they will,
30 if not successful, pay the minimum wage established by the commission. The
31 amount of the bond shall be fixed by any member of the commission, and the
32 surety or sureties on said bond shall be approved by the clerk of said court.

33 The court may confirm or set aside or modify the decision of the minimum
34 wage commission. If the decision is set aside and the facts found in the pro-
35 ceedings before the commission are sufficient, the court may enter such decision
36 as is justified by law or may remand the cause to the commission for further
37 proceedings and may state the questions requiring further hearing and give
38 such other instructions as may be proper.

39 Judgments and order of the circuit court under this Act, shall be reviewed
40 only by the Supreme Court upon a writ of error, which the Supreme Court in its
41 discretion may order to issue, if applied for, not later than the second day of the
42 first term of the Supreme Court, following the rendition of the circuit court
43 judgment or order sought to be reviewed: *Provided*, that if the first day of said
44 term is less than thirty days from the rendition of said judgment or order, then
45 application for said writ of error may be made not later than the second day of
46 the second term following the rendition of such judgment or order. The writ of
47 error when issued shall operate as a *supersedeas*.

Sec. 23. Any person who violates any of the foregoing provisions of this
2 Act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall
3 be punished for each offense by a fine of not less than fifty dollars nor more
4 than two hundred and fifty dollars, or by imprisonment for not less than ten
5 days nor more than three months, or by both such fine and imprisonment.

Sec. 24. If any employer shall pay an employee less than the minimum wage to which said employee is entitled under or by virtue of an order of said commission, said employee may recover in a civil action against the employer full amount of said minimum wage less any amount actually paid to said employee by said employer, together with costs of suit and such attorney's fees as may be allowed by the court; and any agreement for said employee to work for less than such minimum wage shall be no defense to such action.

Sec. 25. IMPROPER DISCHARGE OF EMPLOYEES.] Any employer who discharges or in any other manner discriminates against any employee because such employee has testified or is about to testify, or has served or is about to serve upon a wage board, or is or has been active in the formation thereof, or has given or is about to give information concerning the condition of such employee's employment, or because the employer believes that the employee may testify or may serve upon a wage board, or may give information concerning the conditions of the employee's employment in any investigation or proceeding relative to the enforcement of this Act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for each offense by a fine of not less than fifty dollars and not more than two hundred and fifty dollars, or by imprisonment for not less than ten days nor more than three months, or by both such fine and imprisonment.

Sec. 26. If any section or subdivision of this Act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Act. The legislature hereby declares that it would have passed this Act, and each section, subdivision, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subdivisions, sentences, clauses or phrases is declared unconstitutional.

Sec. 27. This Act shall be known as the minimum wage law. The purposes of the Act are to protect the women and minors of this State from conditions detrimental to their health and morals, resulting from wages which are inadequate to maintain decent standards of living; and the Act in each of its provisions and in its entirety shall be interpreted to effectuate these purposes.



- 1 Introduced by Mr. Bentley (by request), March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 1 of "An Act to revise the law in relation to amendments and jeofails," approved February 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 1 of "An Act to revise the law in relation to amendments and jeofails," approved February 25, 1874, in force July 1, 1874, is amended to read as follows:*

Sec. 1. The court in which *any action, suit, proceeding, appeal or writ of error* is pending shall have the power, *and it shall be its duty*, to permit amendments in any process, pleading, *affidavit, proceeding, transcript of the record, abstract of the record or other instrument requiring amendment*, either in form or substance for the furtherance of justice on such terms as shall be just, at any time before *a final judgment or decree* is rendered therein; *and no judgment or decree shall be dismissed or judgment or decree affirmed or reversed in any court of Appellate jurisdiction on account of any defect or omission in*

9 any transcript of the record or abstract of the same or any instrument, motion
10 or pleading filed in said court, but on notice any party to said appeal or writ
11 of error shall be permitted to supply such defect or omission by amendment on
12 such terms as shall be just.



- 1 Introduced by Mr. McCaskrin, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to Prevent Interference with the Sale, Distribution or Publication of a Newspaper or Newspapers, or copies thereof, lawfully printed and published in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person, firm or corporation engaged in the business of selling, distributing or publishing a newspaper or newspapers, or copies thereof, or for any agent or employee of such person, firm or corporation to interfere with or prevent the sale, distribution or publication of any newspaper, or copies thereof, lawfully printed and published in the State of Illinois, as hereafter provided.

Sec. 2. It is hereby declared to be unlawful within the provisions of this Act for any person, firm or corporation engaged in the business of selling, distributing or publishing a newspaper or newspapers, or copies thereof, or for any agent, officer or employee of such person, firm or corporation,

5 (a) To sell or contract to sell copies of a newspaper or newspapers to a
 6 person, firm or corporation engaged in the business of selling or distributing
 7 a newspaper or newspapers, or copies thereof, or to fix a price charged there-
 8 for, or discount from or rebate upon such price, on the agreement, condition
 9 or understanding that such purchaser shall not purchase, sell, distribute, deal in
 10 or otherwise handle any newspaper or newspapers, or copies thereof, specified
 11 by the seller, lawfully printed and published in the State of Illinois; or

12 (b) To compel, by threats or acts of intimidation, any person, firm or cor-
 13 poration engaged in the business of selling or distributing a newspaper or news-
 14 papers, or copies thereof, lawfully printed and published in the State of Illinois,
 15 to purchase or accept or receive for sale more copies of a newspaper than such
 16 person, firm or corporation would otherwise voluntarily purchase or accept or
 17 receive for sale; or

18 (c) To establish among persons, firms or corporations engaged in the busi-
 19 ness of selling or distributing a newspaper or newspapers, or copies thereof,
 20 by any means whatsoever, a boycott against any particular newspaper or news-
 21 papers lawfully printed and published in the State of Illinois; or

22 (d) To induce any person, firm or corporation engaged in the business of
 23 selling or distributing a newspaper or newspapers, or copies thereof, not to
 24 handle or deal in any other particular newspaper or newspapers, or copies
 25 thereof, lawfully printed and published in the State of Illinois, by refusing, or
 26 threatening to refuse, to sell or deliver a newspaper or newspapers, or copies
 27 thereof, to such person, firm or corporation; or

28 (e) To refuse to sell copies of a newspaper or newspapers to a person,
 29 firm or corporation engaged in the business of selling or distributing a news-
 30 paper or newspapers for the reason that such person, firm or corporation deals
 31 in or handles, or has dealt in or handled, any particular newspaper or news-
 32 papers, or copies thereof, lawfully printed and published in the State of Illi-
 33 nois; or

34 (f) To wrongfully and maliciously injure, in any manner whatsoever, the
35 property or business of a person, firm or corporation or any of their agents or
36 employees engaged in the business of publishing, selling or distributing a news-
37 paper or newspapers, or copies thereof, lawfully printed and published in the
38 State of Illinois.

Sec. 3. Any person, individually, or as an officer, agent or employee of a
2 firm or corporation, violating any provision of this Act shall be guilty of a
3 felony, and upon conviction thereof, shall be fined not exceeding Five thousand
4 dollars (\$5,000.00) and shall be imprisoned in the penitentiary for a period of
5 not less than one year nor more than three years.

Sec. 4. Whereas an emergency exists, therefore, this Act shall take effect
2 from and after its passage.



- 1 Introduced by Mr. Flagg, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 56 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, by reducing the maximum tax rate levied by township highway commissioners.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 56 of an Act entitled "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, be and the same is hereby amended so as to read as follows:

Sec. 56. GENERAL TAXLEVY FOR ROAD AND BRIDGE PURPOSES.] At a regular meeting to be held on the first Tuesday in September the board of highway commissioners in each town or road district shall annually determine and certify to the board of supervisors or board of county commissioners the amount necessary to be raised by taxation for the proper construction, maintenance and repair of roads and bridges in such town or road district. Such certificate shall

7 be filed in the office of the county clerk, and by that official presented to the
8 county board at their regular September meeting for their consideration. The
9 amount so certified if approved by the county board, or such part thereof as the
10 board shall approve, shall be extended by the county clerk as taxes against the
11 taxable property of such town or district: *Provided, however,* that the county
12 clerk shall not extend against the taxable property of any town or road district
13 a rate in excess of *fifty (50)* cents on each one hundred dollars valuation of the
14 taxable property of the town or district, and if the amount of taxes approved
15 by the county board shall be in excess of such rate it shall be the duty of the
16 clerk to reduce the same to said rate of *fifty (50)* cents upon each one hundred
17 dollars of the assessed valuation of said town or district.



1 Adopted April 27, 1921.

AMENDMENT NO. 1.

Amend the title of printed House Bill No. 355 to read as follows:

2

“A BILL

3 For an Act to amend Section 56 of ‘An Act to revise the law in relation to roads
4 and bridges,’ approved June 27, 1913, in force July 1, 1913, as amended.”

AMENDMENT NO. 2.

Amend printed House Bill No. 355, on page 2, Section 56, by striking lines

2 12, 13, 14, 15, 16 and 17, and inserting in lieu thereof the following: “clerk
3 shall not extend against the taxable property of any road district a rate in ex-
4 cess of sixty-six (66) cents on each one hundred dollars valuation of the tax-
5 able property of the district; *nor against the taxable property of any town, a*
6 *rate in excess of fifty (50) cents on each one hundred dollars valuation of the*
7 *taxable property of the town, unless before the first Tuesday in September, the*
8 *board of highway commissioners of the town shall have secured the consent in*
9 *writing of a majority of the members of the board of town auditors to the ex-*
10 *tension of a greater rate, and in such case the rate shall not exceed that approved*
11 *by a majority of the members of the board of town auditors, and in no case shall*
12 *it exceed sixty-six (66) cents on each one hundred dollars valuation of the tax-*
13 *able property of the town. If the amount of taxes, in any case, approved by*
14 *the county board shall be in excess of the amount which may be extended the*
15 *clerk shall reduce the amount so that the rate extended shall be no greater than*
16 *authorized by this section.”*



- 1 Introduced by Mr. Davis, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to amend Sections 19 and 30, Article 3, and Section 45, Article 5, of the “Game and Fish Code of Illinois,” approved June 24, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 19 and 30, Article 3 and Section 49, Article 5, of the “Game and Fish Code of Illinois,” approved June 24, 1919, in force July 1, 1919, are amended to read as follows:

Sec. 19. BASS (ROCK, WHITE OR STRIPED), BUFFALO, BULLHEAD CAT, CARP, CAT FISH, CRAPPIES, PERCH (WHITE), PERCH (YELLOW OR RINGED) AND SUNFISH.] It shall be unlawful:

- (a) To catch or take rock bass of less than six (6) inches in length, white or striped bass of less than eight (8) inches in length, buffalo of less than fifteen (15) inches in length, bullhead cat of less than six (6) inches in length, dressed, and eight (8) inches in length, undressed, carp of less than fifteen (15) inches in length, catfish of less than thirteen (13) inches in length, catfish (blue

9 or channel) of less than fifteen (15) inches in length, crappies of less than eight
 10 (8) inches in length, perch (white) of less than ten (10) inches in length, perch
 11 (yellow or ringed) of less than seven (7) inches in length, and sunfish of less than
 12 six (6) inches in length, except by hooks and lines, and if any such fish under
 13 such respective lengths are caught or taken by any other means, the same shall
 14 be immediately returned to the waters from which taken without unnecessary
 15 injury.

16 (b) To buy, sell or barter, or offer to buy, sell or barter, or for any com-
 17 mercial institution, commission house, restaurant or cafe keeper, or fish dealer,
 18 to have in possession any of the above named fish, if the same are undersized.

19 (c) To buy, sell or barter, or offer to buy, sell or barter, to ship or offer
 20 for shipment, or receive for shipment, or for any commercial institution, com-
 21 mission house, restaurant or cafe keeper, or fish dealer, to have in possession
 22 any *rock, crappies, white or striped bass, bullhead cat, yellow or ringed perch*
 23 *or sun fish*, caught or taken from waters wholly or in part within the jurisdiction
 24 of the State, or over which the State has concurrent jurisdiction with any other
 25 state, between the first day of April and the first day of June, both inclusive of
 26 any year.

Sec. 30. MUSSELS.] It shall be unlawful:

2 (a) *To catch or take mussels from the Illinois river at any point between*
 3 *the mouth of that river and the northern corporate limit of the village of*
 4 *Kampsville, Calhoun County.*

5 (b) To operate, or attempt to operate, more than one boat in taking, catch-
 6 ing or killing, or attempting to take, catch or kill mussels for commercial pur-
 7 poses, except that one additional boat for towing purposes only may be used,
 8 when no apparatus for taking, catching or killing mussels is used or kept
 9 thereon.

10 (c) To have in possession, while engaged in taking, catching or killing
 11 mussels, or attempting so to do, for commercial purposes, more than two crow-

12 foot bars or more than one dredge, or to use or have in possession a crow-foot
13 bar of more than sixteen feet in length, or a dredge, the length of the opening
14 of which is more than three feet.

15 (d) To take, catch or kill, or attempt so to do, buy, sell or barter, or offer
16 to buy, sell or barter, or for any commercial institution, or fish dealer to have
17 in possession, mussels of less than two inches in their greatest dimension, and
18 all undersized mussels shall be culled and returned to waters from which taken,
19 without unnecessary injury.

Sec. 49. SEINS AND NET LICENSES.] It shall be unlawful to use or operate,
2 or attempt to use or operate any seine, dip net, hoop net, fyke net, basket or
3 trap net, pound or gill net without first obtaining a license so to do.

4 Application for such licenses shall be made to any county, city or village
5 clerk.

6 Fees for such licenses for residents of the State shall be as follows:

7 (a) *For the privilege of using seines and nets, twenty-five (\$25.00) dollars.*

8 (b) For each steam tug used in operating gill or pound nets, twenty-five
9 (\$25.00) dollars.

10 (c) For each gasoline launch used in operating gill or pound nets, fifteen
11 (\$15.00) dollars.

12 (d) For each sail boat, or row boat used in operating gill or pound nets,
13 ten (\$10.00) dollars.

14 In addition to the above fees, applicants shall pay a fee to the clerk of
15 twenty-five cents for issuing each license.

16 Fees for such licenses for non-residents of the State shall be as follows:

17 (a) *For the privilege of using seines and nets, fifty (\$50) dollars.*

18 (b) For each steam tug used in operating gill or pound nets, two hundred
19 (\$200.00) dollars.

20 (c) For each gasoline launch used in operating gill or pound nets, fifty
21 (\$50.00) dollars.

22 (d) For each sail or row boat used in operating gill or pound nets, thirty
23 (\$30.00) dollars.

24 In addition to the above fees, applicants shall pay to the clerk issuing
25 licenses a fee of twenty-five cents for each license issued.

26 All of such licenses shall expire upon the first day of April of each year.



- 1 Introduced by Mr. J. H. Francis (by request), March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act in relation to convict-made goods.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* All goods, wares and merchandise made
3 by convict labor in a penal institution and brought into this State for sale or
4 distribution, shall be branded or marked in the following manner. Where the
5 nature of the article will permit, the brand or mark shall be attached directly
6 on the article itself, and in other cases the brand shall be imprinted on a tag
7 or label which shall be attached to the article.

8 The brand or mark, in all cases, shall contain at the top, the words, "con-
9 vict-made," and beneath shall state the name of the institution where made and
10 the year of manufacture. The brand or mark shall be printed in plain English
11 lettering of the style known as great primer roman condensed capitals.

12 In addition to the brand or mark attached to the article itself, a similar
13 brand or mark shall be affixed upon the box, crate or other covering in which
14 the goods, wares or merchandise are packed or shipped.

Sec. 2. Whoever sells or exposes for sale or imports into this State for
2 sale or distribution, any goods, wares and merchandise manufactured by con-
3 vict labor in a penal institution without the mark or brand, as provided in
4 Section 1, is guilty of a misdemeanor and shall be punished by a fine of not less
5 than one hundred dollars (\$100.00) nor more than one thousand dollars
6 (\$1,000.00), or imprisonment for not more than thirty days, or by both fine and
7 imprisonment.



- 1 Introduced by Mr. Smejkal, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to create a Salary Investigation Commission and make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That a commission is hereby created
3 which shall be known as the Salary Investigation Commission. The Salary In-
4 vestigation Commission shall be composed of thirteen members as follows: Three
5 members of the House of Representatives, appointed by the Speaker; three
6 members of the Senate appointed by the President of the Senate; the Lieuten-
7 ant Governor; the Secretary of State; the Auditor of Public Accounts; the
8 Attorney General; the Director of Finance; the President of the University of
9 Illinois; and the President of the Civil Service Commission.

Sec. 2. The Salary Investigation Commission shall investigate and report
2 to the Governor a plan for the standardization of salaries, wages, fees and other
3 compensation for personal services of all employes of the State. Such commis-

4 sion shall, not later than the first day of July, A. D. 1922, make a report of its
5 findings and conclusions to the Governor, and shall transmit a copy thereof to
6 the Fifty-third General Assembly. The existence of the Salary Investigation
7 Commission shall cease upon the convening of the next General Assembly of
8 this State.

Sec. 3. It shall be the duty of all departments, officers, institutions, boards
2 and commissions, to render to the Salary Investigation Commission any and
3 all assistance that may be required, and to give such commission such informa-
4 tion, data, and statistics relative to employments, salaries and wages, as such
5 commission may request. Each member of the Salary Investigation Commis-
6 sion shall have power to administer oaths to witnesses. The Salary Investiga-
7 tion Commission shall have power to compel the attendance of witnesses, and
8 the production of books, papers, documents and memoranda relative to any
9 matter under investigation or inquiry, and for that purpose shall have power
10 to issue subpoenas. In case any person shall willfully fail or refuse to obey such
11 subpoena, it shall be the duty of the Circuit Court of any county upon appli-
12 cation of such commission to issue an attachment for such witness, and to
13 compel such witness to appear before the commission and give his
14 testimony upon such matters as shall lawfully be required by such
15 commission. The Circuit Court shall have the power to punish for
16 contempt as in other cases of refusal to obey the process and order of
17 such court.

Sec. 4. The Salary Investigation Commission shall designate one of its
2 number to be chairman, and shall have power to appoint a secretary and other
3 necessary employes. No member of such commission shall receive any compen-
4 sation for his services, but all actual expenses incurred by the commission or
5 any member or employe thereof, shall be a proper charge against the appro-
6 priations herein made.

Sec. 5. The sum of twenty-five thousand dollars, or so much thereof as
2 may be necessary, is hereby appropriated to defray the expenses of such com-
3 mission in carrying out the provisions of this Act.

Sec. 6. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Smejkal, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.



A BILL

For an Act making appropriations for the State normal schools.



SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* There is appropriated to the Department
3 of Registration and Education for the support, operation, maintenance, per-
4 manent improvements and other expenses of the State normal schools for the
5 biennium beginning July 1, 1921, the sum of two million, eighty-four thousand,
6 three hundred and thirty-eight dollars (\$2,084,338) for the following objects and
7 purposes:

8 TO THE ILLINOIS STATE NORMAL UNIVERSITY:

9 For Salaries and Wages.....	\$471,390
10 For the following positions and groups of positions at not to exceed the	
11 annual rates and amounts herein specified:	
12 For President	\$ 6,500
13 For Instructional Staff (36 weeks).....	\$149,734
14 For Clerical Force	\$ 8,079

15	For Operating Force	\$ 19,371
16	For Lectures and Addresses.....	\$ 747
17	For Summer Sessions (12 weeks).....	\$ 36,264
18	For Instructional Staff, Illinois Soldiers' Orphans' Home (36 weeks)...	\$ 15,000
19	For Office Expenses	\$ 3,200
20	For Travel	\$ 7,000
21	For Operation	\$ 48,000
22	For Repairs and Equipment.....	\$ 35,600
23	For Permanent Improvements: Paving on Main and Mulberry Streets.	\$ 12,100
24	For Contingencies	\$ 2,000
25	(Total for Illinois State Normal University, \$580,290.)	

26 TO THE EASTERN ILLINOIS STATE NORMAL SCHOOL:

27	For Salaries and Wages.....	\$283,004
28	For the following positions and groups of positions at not to exceed the	
29	annual rates and amounts herein specified:	
30	For President	\$ 6,500
31	For Instructional Staff (36 weeks).....	\$ 94,728
32	For Clerical Force	\$ 7,540
33	For Operating Force	\$ 18,616
34	For Emergency Teachers and Lecturers	\$ 1,719
35	For Summer Sessions (6 weeks).....	\$ 12,399
36	For Office Expenses	\$ 3,000
37	For Travel	\$ 1,800
38	For Operation	\$ 36,000
39	For Repairs and Equipment.....	\$ 32,300
40	For Permanent Improvements: Training School Building.....	\$ 18,000
41	For Contingencies	\$ 2,000
42	(Total for Eastern Illinois State Normal School, \$376,104.)	

TO THE WESTERN ILLINOIS STATE NORMAL SCHOOL:

For Salaries and Wages.....	\$261,352
For the following positions and groups of positions at not to exceed the annual rates and amounts herein specified:	
For President	\$ 6,500
For Instructional Staff (36 weeks).....	\$ 88,817
For Clerical Force	\$ 4,233
For Operating Force	\$ 15,426
For Lecturers	\$ 390
For Summer Session (6 weeks).....	\$ 15,310
For Office Expenses	\$ 3,330
For Travel	\$ 6,000
For Operation	\$ 36,000
For Repairs and Equipment.....	\$ 47,150
For Contingencies	\$ 2,000
(Total for the Western Illinois State Normal School, \$355,802.)	

TO THE NORTHERN ILLINOIS STATE NORMAL SCHOOL:

For Salaries and Wages.....	\$296,386
For the following positions and groups of positions at not to exceed the annual rates and amounts herein specified:	
For President	\$ 6,500
For Instructional Staff (36 weeks).....	\$ 98,774
For Clerical Force (including matron)	\$ 4,959
For Operating Force	\$ 22,542
For Lecturers	\$ 3,718
For Summer Session (6 weeks).....	\$ 11,700
For Office Expenses	\$ 3,000
For Travel	\$ 1,800
For Operation	\$ 54,000

72	For Repairs and Equipment.....	\$ 28,550
73	For Contingencies	\$ 2,000
74	(Total for the Northern Illinois State Normal School, \$385,736.)	
75	TO THE SOUTHERN ILLINOIS STATE NORMAL SCHOOL:	
76	For Salaries and Wages.....	\$300,456
77	For the following positions and groups of positions at not to exceed the	
78	annual rates and amounts herein specified:	
79	For President	\$ 6,500
80	For Instructional Staff (36 weeks).....	\$110,175
81	For Clerical Force	\$ 2,340
82	For Operating Force	\$ 16,523
83	For Summer Session (6 weeks).....	\$ 14,690
84	For Office Expenses	\$ 3,200
85	For Travel	\$ 2,000
86	For Operation	\$ 37,000
87	For Repairs and Equipment.....	\$ 41,750
88	For Contingencies	\$ 2,000
89	(Total for the Southern Illinois State Normal School, \$386,406.)	

Sec. 2. The appropriations for Salaries and Wages herein made are subject to the following conditions:

The State normal school board shall annually, on or before July 15th, adopt a schedule of positions showing the title, monthly salary rates and number of months to be employed. The State normal school board may, from time to time, adopt amendments to the schedule. Before said schedule and amendments become effective they shall be approved by the Department of Registration and Education and the Department of Finance.

The salaries and wages paid in the several normal schools shall be uniform for like service and uniform titles shall be adopted and used so far as possible.

The instructional staff shall be divided into three classes designated re-

12 spectively "a," "b" and "c." The number of positions classed as "a" shall
13 not exceed one-eighth of the total number of positions in the instructional staff
14 and incumbents shall receive not less than \$300 per month or more than \$400
15 per month for those months actually employed for full time service.

16 The number of positions classed as "b" shall not exceed one-half of the total
17 number of positions in the instructional staff and incumbents shall receive not
18 less than \$220 per month or more than \$300 per month for those months actually
19 employed for full time service.

20 The number of positions classed as "c" shall not be less than three-eighths
21 of the total number of positions in the instructional staff and incumbents shall
22 receive not less than \$170 per month or more than \$220 per month for those
23 months actually employed for full time service.

Sec. 3. The appropriations herein made are subject to the provisions of
2 "An Act in relation to State finance," approved June 10, 1919, in force July 1,
3 1919.



- 1 Introduced by Mr. Morrasy, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 2 and 23 and the title of "An Act concerning county treasurers, in counties containing more than 150,000 inhabitants, and concerning public funds within their custody and control and the interest thereon, and to repeal all Acts or parts of Acts in conflict herewith," approved June 29, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 2 and 23 of "An Act concerning
3 county treasurers, in counties containing more than 150,000 inhabitants, and
4 concerning public funds within their custody and control and the interest
5 thereon, and to repeal all Acts or parts of Acts in conflict herewith," approved
6 June 29, 1915, in force July 1, 1915, are amended to read as follows:

Sec. 2. SELECTION OF DEPOSITARIES.] It shall be the duty of the county
2 treasurer in every county of this State at least once in each year and not later
3 than the 1st day of October, in each year, to advertise for bids from all regu-
4 larly established national and State banks doing business within *the* county for
5 interest on county moneys to be deposited in said banks.

6 A "regularly established" national or State bank is hereby defined to mean
 7 a bank which has been doing business in such county and has furnished at least
 8 two sworn statements of resources and liabilities to the State Auditor or to the
 9 comptroller of currency, prior to the date upon which the bids provided for
 10 herein are to be submitted. It shall be the duty of the county treasurer in so
 11 advertising for bids to ask for separate bids for interest upon such county
 12 moneys as shall be deposited in said banks and permitted to remain without
 13 diminution for periods of at least thirty, sixty or ninety days.

14 Such bids shall be referred to the county treasurer, the county clerk and
 15 the president or chairman of the county board of such county for their infor-
 16 mation and consideration, not later than the 15th day of October of each year.
 17 The three above named officers shall, by a majority vote, within ten days after
 18 such bids have been so referred to them, by written notice to the county treas-
 19 urer, a duplicate of which notice shall be filed with the county clerk, reject any
 20 or all bids, or designate, in like manner, as many depositaries as they deem
 21 necessary for the protection of all county moneys as defined in Section 1 of
 22 this Act, and make awards accordingly, such awards to be made to the highest
 23 and best responsible bidder or bidders. In case no bids are so received or all
 24 bids so received and referred are rejected, the county treasurer shall immedi-
 25 ately re-advertise in the manner herein provided, and shall continue to re-adver-
 26 tise in like manner until such awards shall have been made. It shall be the duty
 27 of the county treasurer to obtain with each bid for interest upon county moneys
 28 and to present with such bids the last official statement of resources and liabili-
 29 ties of each bank bidding for deposits as reported to the State Auditor of Public
 30 Accounts or to the comptroller of the currency, as the case may be; and the
 31 county treasurer shall obtain, from time to time, from the banks to which awards
 32 are made, copies of all reports of condition made in response to the regular calls
 33 by the State and Federal authorities.

Sec. 23. COUNTIES IN WHICH ACT TO APPLY.] This Act and all of the pro-
 2 visions thereof shall apply in every county of this State.

Sec. 2. The title of said Act is amended to read as follows:

2 “An Act concerning county treasurers and county moneys.”

Sec. 3. The provisions of this Act shall not operate to change or enlarge
2 the duties of any county treasurer until the expiration of the term of office of
3 county treasurers now holding office.



- 1 Introduced by Mr. Pace, March 10, 1921.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles, in the State of Illinois, and to repeal all Acts in conflict therewith; approved June 24th, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 4, 19, 25, 27, 28, 49, 51 and 82 of an Act to revise the law in relation to the conservation of game, wild animals, wild fowls, birds, fish, mussels, frogs and turtles, in the State of Illinois, and to repeal all Acts in conflict therewith; approved June 24th, 1919, in force July 1, 1919, be and the same are hereby amended to read as follows:

Sec. 4. OFFICERS AND EMPLOYEES OF THE DEPARTMENT.] Whenever in this Act powers or duties vested in or imposed upon the officers or employees of the Department of Agriculture, only such officers and Employees of the Department shall exercise such powers or duties as are authorized in writing, signed by the Director of the Department of Agriculture. Before entering upon the duties of

his office the chief game and fish warden shall enter into bond in the sum of Ten Thousand (\$10,000.00) Dollars, conditioned for the faithful performance of his duty and to indemnify all persons injured through his malfeasance or misfeasance in office, payable to the People of the State of Illinois, for the use of any person aggrieved, such bond to be approved by the Director of the Department of Agriculture, and the Director of the Department of Agriculture may require bonds with like conditions in any sum not to exceed Ten Thousand (\$10,000.00) Dollars of any person or persons designated by him to perform any of the duties of game and fish warden to alike approved, and such bonds shall be filed in the office of Auditor of Public Accounts.

Sec. 19. BASS (ROCK, WHITE OR STRIPED), BUFFALO, BULLHEAD CAT, CARP, CAT FISH, CROPPIES, AND PERCH (WHITE), PERCH (YELLOW OR RINGED), AND SUN FISH.]

It shall be unlawful:

(A) To catch or take rock bass of less than six (6) inches in length, white or striped bass of less than eight (8) inches in length, buffalo of less than fifteen (15) inches in length, bull head cat, of less than six (6) inches in length, dressed, and eight inches (8) in length, undressed, carp of less than fifteen (15) inches in length, cat fish (blue or channel) of less than eleven (11) inches in length, croppies of less than eight and one-half (8½) inches in length, perch (white), of less than ten (10) inches in length, perch (yellow or ringed) of less than seven (7) inches in length, and sun fish of less than six (6) inches in length, except by hooks and lines, and if any such fish under such respective length are caught or taken by any other means, the same shall be immediately returned to the waters from which taken without unnecessary injury.

(B) To buy, sell or barter, or offer to buy, sell or barter, or for any commercial institution, commission house, restaurant or cafe-keeper, or fish dealer, to have in possession any of the above named fish, if the same are undersized.

(C) To buy, or sell, or barter, or offer to buy, sell or barter, to ship or offer for shipment, or receive for shipment, or for any commercial institution, com-

mission house, restaurant or cafe-keeper, or fish dealer, to have in possession any of the above named fish caught or taken from waters wholly or in part within the jurisdiction of the State or over which the State has concurrent jurisdiction with any other State, between the first day of April and the first day of October, both inclusive, of any year, except carp, buffalo, cat fish, cat fish (blue or channel), white perch, and bullhead. it not being intended by this Act to create any closed seasons as to such fish.

Sec. 25. NETS (DIP, HOOP, FYKE, BASKET AND TRAP.] *It shall be unlawful:*

(A) To use or operate, or attempt to use or operate, any dip net, hoop net, fyke net, basket or trap net, of each year, except that the dip net may be used or operated for the catching of black fins, chubs, herring, long jaws and lake perch during the entire year.

(B) To use, or operate, or attempt to use or operate, any dip net, hoop net, fyke net, basket net, the meshes of which are less than one and one-half ($1\frac{1}{2}$) inches square, except that the dip net may be used for the purpose of taking lake perch, the meshes of which are not less than one and one-quarter ($1\frac{1}{4}$) inches square.

(C) To use or operate, or attempt to use or operate, any hoop or fyke net or more than two hundred yards (200) in length, or to set, place or use the same in such a manner as to obstruct more than one-half the width of any stream, river, lake, slough, bayou, or other watercourse.

Sec. 27. SEINES.] *It shall be unlawful:*

(a) To use or operate, or attempt to use or operate a seine between the first day of April and the first day of July, both inclusive, of each year.

(b) To use or operate, or attempt to use or operate, a seine of more than One Thousand (1000) yards in length or the meshes of which are less than two (2) inches square.

(c) To set, place or use a seine in such manner as to obstruct more than one-half of the width of any stream, river, lake, slough, bayou, or other watercourse.

10 (d) To use or operate, or attempt to use or operate, a seine of more than
 11 two hundred (200) yards in length, without the use and operation of a backstop,
 12 and in the use of such a seine and backstop the seine shall not be drawn into
 13 waters of less than two (2) feet in depth.

14 (e) *To use, operate, or attempt to use, or operate, a trammel net, except as*
 15 *a drift net from the first day of March to the first day of October, both days*
 16 *inclusive, of each year.*

Sec. 28. ILLEGAL FISHING DEVICES AND METHODS OF FISHING OR KILLING FISH.]

2 *It shall be unlawful:*

3 To use or operate, or attempt to use or operate, in the taking or catching of
 4 *any fish, a snare, a spear, a gig, a grain, firearms, of any kind, or a jack or artifi-*
 5 *cial light of any kind, except such as may be used strictly for illuminating pur-*
 6 *poses and not for the purpose of luring or attracting the fish.*

7 (b) To catch, take or kill, or attempt to catch, take or kill, any fish by the
 8 use of lime, acid, medical, chemical or mechanical compound or dope of any
 9 medicated drug or any coculus induces (coccus indicus) or fish berry, or any
 10 dynamite, or giant power, nitro-glycerine or other explosive.

11 (c) To have erected or use while fishing on or through ice, any house, shed,
 12 tent or shanty or other structure so constructed as to wholly, or in part exclude
 13 the daylight, or which may be used for the purpose of concealment.

14 (d) To catch, take or kill, in any manner or by any means, any fish in, or
 15 from any water in any quarry, quarry hole, natural or artificial lake, fish pond
 16 or reservoir, or other artificial or natural depression, without the consent of the
 17 owner of the person in charge thereof.

18 (e) To catch, take or kill in any manner, or by any means, or to attempt
 19 to catch, take or kill in any manner or by any means, any fish within one hun-
 20 dred feet of any dam wholly or partly crossing any stream or any other body
 21 of water.

Sec. 49. SEINE AND NET LICENSES.] *It shall be unlawful* to use, operate, or

attempt to use or operate any seine, dipnet, hoop net, fyke net, basket or trap net, pound or gill net, without first obtaining a license so to do. Applications for such licenses shall be made to any county, city or village clerk.

FEES for such licenses for residents of the State shall be as follows:

(a) For each one hundred (100) yards of seine, or less (except minnow seines), ten dollars (\$10.00).

(b) *For each dip net, hoop or fyke net, basket or trap net, twenty-five (25c) cents.*

(c) For each steam tug used in operating gill or pound nets, twenty-five dollars (\$25.00).

(d) For each gasoline launch used in operating gill or pound nets, fifteen dollars (\$15.00).

(e) For each sail boat, or row boat, used in operating gill or pound nets, ten (\$10.00) dollars.

(f) *For each hundred (100) yards of trammel net or less, five (\$5.00) dollars.*

In addition to the above fees, applicants shall pay a fee to the clerk of fifty cents for issuing each seine, tug and boat license, and make the writing of one license cover any desired number of tugs.

FEES for such licenses for non-residents of the State shall be as follows:

(a) For each one hundred (100) yards of seine, or less (except minnow seines) twenty dollars (\$20.00).

(b) For each dip net, two (\$2.00) dollars; hoop or fyke net, two (\$2.00) dollars; basket or trap net, one (\$1.00) dollar.

(c) For each steam tug used in operating gill or pound nets, two hundred dollars (\$200.00).

(d) For each gasoline launch used in operating gill or pound nets, fifty dollars (\$50.00).

(e) For each sail or row boat used in operating gill or pound nets, thirty dollars (\$30.00).

32 In addition to the above fees, applicants shall pay to the clerk issuing
33 licenses a fee of twenty-five cents for each license issued.

34 All of such licenses shall expire upon the first day of June of each year.

35 Each license of any of the devices or boats hereinabove named, shall receive
36 from the clerk issuing such licenses a metal tag furnished by the Department
37 which shall be attached to the device or boat licensed in such a manner as to be
38 at all times exposed to public view.

Sec. 51. APPLICATIONS AND FEES.] Applications for such licenses shall be
2 made to any county, city or village clerk. Fees for such licenses for residents of
3 the State shall be one (\$1.00) dollar and a clerk's fee of twenty-five cents;
4 twenty-five (\$25.00) dollars for the use of a dredge, and two dollars and fifty
5 cents (\$2.50) for each bar used. For non-residents of the State the fee shall be
6 twenty-five dollars (\$25.00) and a clerk's fee of fifty cents; twenty-five dollars
7 (\$25.00) for the use of a dredge and two dollars and fifty cents (\$2.50) for each
8 bar used. *Provided no license shall be charged for fishing for mussels with bars*
9 *or crows feet.*

Sec. 82. EVIDENCE OF ILLEGALITY.] The possession by any person of any
2 fish, mussels, frogs, or turtles, under the size or weight herein prescribed shall
3 be prima facie evidence that the same were the property of the State at the
4 time they were caught, taken or killed, and that the same were caught, taken or
5 killed within the State.

6 The possession of any wild animal, wild or game bird or any wild animal,
7 wild or game bird found in transit, which shows shot-marks shall be prima facie
8 evidence that the same is subject to all of the provisions hereof, pertaining to
9 the hunting or taking and possession thereof.

10 Whenever the contents of any box, barrel, package, or receptacle consists
11 partly of contraband and partly of legal game, wild animals, wild fowls, birds,
12 fish mussels, turtles or frogs the entire contents of such box, barrel, package or
13 other receptacle shall be subject to confiscation, *provided that as to fish the pro-*

14 *portion of contraband to legal fish must exceed five per cent of the whole to*
15 *authorize confiscation.*

16 Whenever a person has in his or her possession in excess of the number
17 of wild animals, wild fowls or birds permitted under the provisions hereof, the
18 entire number of game, wild fowls, or birds in his or her possession shall be
19 subject to confiscation.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 361

1921



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 361, in the printed bill, by striking out the word

2 "first" in line 2 of Section 27 and substituting the word "fifteenth."



- 1 Introduced by Mr. Byers, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend “An Act giving to the trustees of schools, board of school inspectors, board of education or other corporate authorities managing and controlling the public schools of any school district existing by virtue of any special charter and governed by any or all such special charters or special or general school laws of this State, and having a population of fewer than 500,000 inhabitants, the power to acquire property and to have the compensation to be paid therefor determined by the exercise of the right of eminent domain,” approved June 23, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* “An Act giving to the trustees of schools, board of school inspectors, board of education or other corporate authorities managing and controlling the public schools of any school district existing by virtue of any special charter and governed by any or all such special charters or special or general school laws of this State, and having a population of fewer than 500,000 inhabitants, the power to acquire property and to have the com-

8 pensation to be paid therefor determined by the exercise of the right of eminent
9 domain," approved June 23, 1915, in force July 1, 1915, is hereby amended to
10 read as follows:

Sec. 1. That whenever any school district existing by virtue of any special
2 charter and governed by any and all such special charters or special school laws
3 of this State, and having a population of fewer than five hundred thousand in-
4 habitants, shall require any lot or parcel of land situated within such school
5 district for a site for a school building; or for an addition to any school build-
6 ing already erected and used for school purposes or shall require any lot or
7 parcel of land situated within such school district for the purposes of a play
8 ground for school children, *or shall require any lot or parcel of land situated*
9 *within such school district for the site of a home or residence for the superin-*
10 *tendent, principal, teachers or janitors employed by such school district,* and
11 the compensation for such lot or parcel of land cannot be agreed upon between
12 the owner or owners of such lot or parcel of land and the trustees of schools,
13 board of school inspectors, board of education, or other corporate authority
14 managing and controlling the public schools of such district, it shall be lawful
15 for the trustees of schools, board of school inspectors, board of education, or
16 other corporate authority managing and controlling the public schools of such
17 district to acquire such lot or parcel of land and have the compensation to be
18 paid therefor determined in the manner which may at the time be provided by
19 law for the exercise of the right of eminent domain.



- 1 Introduced by Mr. Clark, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act to add Section 1a and amend the title of "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in moving traffic by railroad between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes and their locomotives with driving wheel brakes, and for other purposes," approved May 12, 1905, in force July 1, 1905, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1a is added to "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in moving traffic by railroad between points in the State of Illinois to equip their cars with automatic couplers and continuous brakes and their locomotives with driving wheel brakes, and for other purposes," approved May 12, 1905, in force July 1, 1905, as amended, this section to read as follows:

Sec. 1a. It shall be unlawful for any common carrier engaged in moving
2 traffic between points in this State by means of steam locomotives to use on its
3 line any steam locomotive in moving such traffic, not equipped with an automatic
4 door to the fire box, which door shall open vertically or horizontally and be so
5 constructed that it may be operated by the fireman on said engine by means of a
6 push button or other appliance located in the floor in the engine deck or floor
7 of the tender at a suitable distance from such door to enable the fireman while
8 firing such engine, by pressure with his foot to open such door for the firing of
9 such engine.

Sec. 2. The title of said Act is amended to read as follows: "An Act to
2 promote the safety of employees and travelers upon railroads by compelling
3 common carriers engaged in moving traffic by railroad between points in the
4 State of Illinois to equip their cars with automatic couplers and continuous
5 brakes and their locomotives with driving wheel brakes and *automatic fire box*
6 *doors*, and for other purposes."



- 1 Introduced by Mr. Cruden, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend Section 1 of "An Act relating to employment offices and agencies", approved and in force May 11, 1903, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of "An Act relating to employ-
3 ment offices and agencies", approved and in force May 11, 1903, as amended, is
4 amended to read as follows:

Sec. 1. *The epartment of Labor is authorized to establish and maintain*
2 *free employment offices, for the purpose of receiving applications of persons*
3 *seeking employment and applications of persons seeking to employ labor, as*
4 *follows: One in each city of not less than twenty-five thousand population; one*
5 *in two or more contiguous cities or towns having an aggregate or combined pop-*
6 *ulation of not less than twenty-five thousand; and in each city containing a pop-*
7 *ulation of one million or over, one central office with as many departments as*
8 *would be practical to handle the various classes of labor, and such branch offi-*
9 *ces as, in the judgment of the Department of Labor, labor and employment con-*
10 *ditions warrant. Such offices shall be designated and known as Illinois Free*
11 *employment offices.*

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 364

1921



1 Adopted April 21, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 364, on page 1, in the second section 1, line 1,
2 by striking out the word "apartment" and inserting in lieu thereof the word
3 "department."

AMENDMENT NO. 2.

Amend printed House Bill No. 364, on page 1, in the second section 1, line 4,
2 by inserting after the word "city," a comma and the words "village or incor-
3 porated town."

AMENDMENT NO. 3.

Amend printed House Bill No. 364, on page 1, in the second section 1, line 5,
2 by inserting after the word "cities" a comma and the word "villages"; and by
3 inserting in front of the word "towns" the word "incorporated."

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 364

1921



1 Adopted May 12, 1921.

AMENDMENT NO. 4.

Amend printed House Bill No. 364, on page 1, in the second section 1, line
2 9, by striking out the following words, “as in the judgment of the Department
3 of Labor, labor and employment the conditions warrant,” and by inserting in
4 lieu thereof, in line 9, after the word, “offices,” the following words, “not to
5 exceed four at any one time, the location of branch offices to be approved by
6 the Governor.”



- 1 Introduced by Mr. Davis, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 30 of “An Act to provide for the holding of primary elections by political parties,” approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 30 of “An Act to provide for the holding of primary elections by political parties,” approved March 9, 1910, in force July 1, 1910, as amended, is amended to read as follows:

Sec. 30. All petitions for nominations shall be filed as follows:

1. Where the nomination is to be made for a State, congressional, judicial or appellate court office, or for any office a nomination for which is made for a territorial division or district which comprises more than one county or is partly in one county and partly in another county or counties, then such petition for nomination shall be filed in the office of the Secretary of State not more than sixty (60) and not less than forty (40) days prior to the date of the primary.

8 2. Where the nomination is to be made for a county obce, trustee of a sani-
 9 tary district (except clerk of the appellate court of the first district) or ward
 10 committeemen, then such petition shall be filed in the office of the county clerk
 11 not more than sixty (60) nor less than (40) days prior to the date of the pri-
 12 mary.

13 3. Where the nomination is to be made for an office to be filled by the elect-
 14 ors of an entire city or village, including aldermen, such petitions for nomina-
 15 tion shall be filed in the office of the city or village clerk not more than thirty
 16 (30) nor less than twenty (20) days prior to the date of the primary.

17 4. Where the nomination is to be made for an office to be filled by the elect-
 18 ors of a town, then such petition for nomination shall be filed in the office of the
 19 town clerk not more than thirty (30) and not less than twenty (20) days prior
 20 to the date of the primary.

21 5. The petitions of candidates for State central committeeman shall be
 22 filed in the office of the Secretary of State not more than sixty (60) and not less
 23 than forty (40) days prior to the date of the primary.

24 6. The Secretary of State and the various clerks with whom such petitions
 25 for nominations are filed shall endorse thereon the day and hour on which each
 26 petition was filed.

27 7. Any person for whom a petition for nomination *or* for committeeman
 28 has been filed may cause his name to be withdrawn by request in writing, signed
 29 by him and duly acknowledged before an officer qualified to take acknowledge-
 30 ments of deeds, and filed in the office of the Secretary of State not less than thir-
 31 ty-five (35) days or with the proper clerk not less than *fifteen (15)* days prior to
 32 the date of the primary, and no names so withdrawn shall be certified by the
 33 Secretary of State to the county clerk or printed on the primary ballot.

34 8. Each person seeking to be elected as delegate or alternate delegate to
 35 the national nominating convention of his party shall file, along with his nomi-
 36 nating petition, a statement in writing signed by him in which he shall state
 37 the name of the candidate of his choice for nomination for President of the

38 United States, or, in lieu thereof, may file a statement to the effect that he has
39 no preference for candidates for President of the United States. The Secre-
40 tary of State shall not permit a petition of a candidate for delegate or alter-
41 nate delegate to the national nominating convention to be filed unless accompa-
42 nied by the statement required in paragraph 8 of this section. Any candidate
43 for President of the United States for whom a preference is stated by any can-
44 didate for delegate or alternate delegate to a nominating convention, may, at
45 any time after the filing of such petition and before the name of such candidate
46 for delegate or alternate delegate to a national nominating convention is certi-
47 fied to the various county clerks for printing, file in the office of the Secretary
48 of State an instrument in writing disavowing the candidacy of the person who
49 has so filed a nominating petition for delegate or alternate delegate to a
50 national nominating convention and in case such candidate for President of the
51 United States shall disavow the candidacy of the candidate for delegate or
52 alternate delegate, as aforesaid, the name of such candidate for delegate or alter-
53 nate delegate so disavowed shall not be certified to the various county clerks
54 for printing upon the official primary ballot.



- 1 Introduced by Mr. Davis, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 45 and 54 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 45 and 54 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended, are amended to read as follows:*

Sec. 45. A majority of the members of said board shall constitute a quorum to do business, and, in the absence of the chairman, a chairman *pro tem* may be appointed. *The board shall sit with open doors, and all persons may attend their meetings. The vote on all propositions to appropriate money from the county treasury shall be taken by "ayes" and "nays" and entered on the record of the meeting.*

Sec. 54. The board of supervisors shall sit with open doors, and all persons may attend their meetings. *The vote on all propositions to appropriate money from the county treasury shall be taken by "ayes" and "nays" and entered on the record of the meeting.*



- 1 Introduced by Mr. Devne, March 15, 1921.
2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act changing the name of the Northern Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Northern Illinois State Normal
3 School located at DeKalb, Illinois, shall, after the passage of this Act, be known
4 as the "Northern Illinois State Teachers College at DeKalb," and under that
5 name and title shall have, possess, be seized of and exercise all rights, privi-
6 leges, franchises, powers and estates which have hitherto belonged to said
7 Northern Illinois State Normal School.

Sec. 2. Whereas, an emergency exists, therefore, this Act shall take effect
2 and be in force from and after its passage.



- 1 Introduced by Mr. J. H. Francis, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section Fourteen (14) of an Act entitled, An Act to revise the law concerning the time of holding the terms of circuit court and of the calling of juries in the several judicial circuits, exclusive of Cook county, approved June 23, 1915, in force July 1, 1915, Laws of 1915, pages 355 to 359, both inclusive, in so far only as said Section 14 relates to the terms of circuit court and of the calling of juries in the county of Grundy in the Thirteenth circuit, by increasing the number of the terms of court in said county from two (2) to four (4) and changing and fixing the time of holding said terms, and providing for an emergency enactment thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section fourteen (14) of an Act
3 entitled, "An Act to revise the law concerning the time of holding the terms of
4 circuit court and of the calling of juries in the several judicial circuits, exclu-
5 sive of Cook County, approved June 23, 1915, in force July 1, 1915, Laws of

6 1915, pages 353 to 359, both inclusive, in so far only as said section 14 relates
 7 to the terms of circuit court and of the calling of juries in and for the county
 8 of Grundy in the Thirteenth Circuit, by increasing the number of the terms of
 9 court in said county from two (2) to four (4) and changing the time of holding
 10 said two terms and fixing the time of holding of all of said four terms.

Sec. 14. THIRTEENTH CIRCUIT.] In the County of Bureau on the third Mon-
 2 day in September, the first Monday of January and the second Monday of April;
 3 in the county of LaSalle on the second Mondays of October, January, March
 4 and June; in the County of Grundy on the first Mondays of February, May,
 5 October and December: *Provided*, that no grand or petit jury shall be summoned
 6 for said May term except by special order of the judge holding said court, and
 7 no grand jury shall be summoned for the October term, except by order of
 8 the judge holding said court, which said order summoning a petit jury for the
 9 May term or a grand jury for either the May or October term may be entered
 10 by any judge of said circuit court in vacation or by the court in term time; and
 11 provided, all processes issued after the passage of this Act shall be returnable
 12 to said terms as herein fixed.

Sec. 2. That all suits, writs and processes of every kind and nature, either
 2 civil or criminal heretofore commenced or pending in said circuit court, or that
 3 may be pending therein, at the time this act takes effect, shall be cognizable and
 4 triable at the first term of said Circuit court after this act takes effect.

Sec. 3. Whereas, an emergency exists, therefore this act shall take effect
 2 and be in force from and after its passage.



2 Adopted April 27, 1921.

AMENDMENT NO. 7.

Amend the title of printed House Bill No. 368 by striking out in line 8 thereof the word and figure "four (4)" and inserting in lieu thereof the word and figure "three (3)".

AMENDMENT NO. 8.

Amend House Bill No. 368 in the printed bill, by striking out all after the enacting clause, and by inserting in lieu thereof the following:

Sec. 14. THIRTEENTH CIRCUIT.] In the County of Bureau on the third Monday in September, the first Monday of January and the second Monday of April; in the County of LaSalle on the second Mondays of October, January, March and June; in the County of Grundy on the first Monday of January, the first Monday of June and the second Monday of September: *Provided*, that no grand or petit jury shall be summoned for said June term except by special order of the Judge holding said court, and no grand jury shall be summoned for the September term, except by order of the judge holding said court, which said order summoning a petit jury for the June term or a grand jury for the June or September term may be entered by any judge of said circuit court in vacation or by the court in term time; and *provided*, all processes issued after the passage of this Act shall be returnable to said terms as herein fixed.

Sec. 2. That all suits, writs and processes of every kind and nature, either
2 civil or criminal heretofore commenced or pending in said circuit court, or that
3 may be pending therein, at the time this Act takes effect, shall be cognizable and
4 triable at the first term of said Circuit Court after this Act takes effect.

Sec. 3. WHEREAS, an emergency exists, therefore this Act shall take effect
2 and be in force from and after its passage and approval.

AMENDMENT NO. 9.

Amend House Bill No. 368, in line 9 of Section 1, of the printed bill, by strik-
2 ing out the word and figure "four (4)" and by inserting in lieu thereof the word
3 and figure "three (3)" also by striking out the word "four" in line 10 of Sec-
4 tion 1 of printed bill and by inserting the word "three" in lieu thereof.



1 Adopted May 11, 1921.

AMENDMENT NO. 10.

Amend the title of House Bill No. 368, in the printed bill, by enclosing the
2 last five words of the first line thereof, and all of the second line thereof and all
3 of line three thereof down to and including the word "*county*," in quotation
4 marks; also by inserting in the fourth line thereof, after the word and figures
5 "July 1, 1915," the words "*as amended*."

AMENDMENT NO. 11.

Amend House Bill No. 368, in Section 1 of the printed bill by inserting after
2 the word "County" in line 5 of page one, *quotation marks*.

3 Also, by inserting after the word and figures "*July 1, 1915*" in line ' of
4 said Section 1, the words, "*as amended*."

AMENDMENT NO. 12.

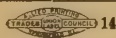
Amend House Bill No. 368, in Section 1 of the printed bill by striking out
2 all after the word and comma, "*inclusive*," in line 6 of said section, and by in-
3 serting in lieu thereof the following: "*be and the same hereby is amended so as*
4 *to read as follows:—*"

AMENDMENT NO. 13.

Amend House Bill No. 368 by striking out all after Section one (1) of the
2 printed bill, (same being the enacting clause) and by inserting in lieu thereof
3 the following:

4 Sec. 14. (Thirteenth Circuit). In the County of Bureau on the third Mon-
 5 day in September, the first Monday of January and the second Monday of April;
 6 in the County of LaSalle on the second Mondays of October, January, March
 7 and June; in the County of Grundy on the first Monday of January, the first
 8 Monday of June and the second Monday of September: *Provided*, that no
 9 grand or petit jury, in and for the County of Grundy, shall be summoned for
 10 the said June term except by special order of the judge holding said court, and
 11 no grand jury shall be summoned, in and for said County of Grundy, for the
 12 said September term, except by order of the judge holding said court, which
 13 said order summoning a petit jury in Grundy County for the June term, or a
 14 grand jury in Grundy County for either the June or September term, may be
 15 entered by any judge of said Circuit Court in vacation or by the Court in term
 16 time: *Provided, further*, all processes issued in Grundy County after the
 17 passage of this Act shall be returnable to said terms as herein fixed;
 18 and all suits, proceedings, writs and processes of every kind and nature, includ-
 19 ing bonds and recognizances, either civil or criminal, heretofore commenced or
 20 pending or issued, in, or out of, or to said Circuit Court of Grundy County, or
 21 that may be pending therein, at the time this Act takes effect, shall be cognizable
 22 and triable at the first term of said Circuit Court after this Act takes effect.

Sec. 2. Whereas, an ameregency exists, therefore this Act shall take effect
 2 and be in force from and after its passage and approval.



- 1 Introduced by Mr. Frisch, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to pay the State's portion of assessments for local improvements upon certain streets in the city of Springfield.

WHEREAS, Proceedings have been instituted by the city of Springfield to
2 levy a special assessment to pay the cost of paving with wood block certain
3 streets in the city of Springfield upon which property of the State abuts; and,

4 WHEREAS, The city engineer of the city of Springfield has submitted detailed
5 estimates of the State's proportionate share of the cost of these improvements;
6 and,

7 WHEREAS, It is proper that the State pay its proportionate share of this
8 cost, but not exceeding the benefit to be derived from these improvements by
9 the property of the State; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is appropriated to the Department
3 of Public Works and Buildings the sum of \$33,485.40, or so much thereof as
4 may be necessary, to pay the State's proportionate share of special assess-

5 ments for local improvements (but not exceeding the benefit to be derived by
6 the property of the State) to be made by the city of Springfield upon the fol-
7 lowing streets:

8 For paving with wood block pavement, Monroe Street from Spring Street
9 to Second Street; Adams Street from First Street to Second Street; Second
10 Street from Adams Street to the south line of Monroe Street; and Capitol
11 Avenue from Second Street to the east line of the Supreme Court building
12 grounds, \$33,485.40.

Sec. 2. This appropriation is subject to the provisions of "An Act in re-
2 lation to State Finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Healy, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act regulating the sale of bread.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Except as hereinafter otherwise provided,
3 bread shall not be sold or offered or exposed for sale otherwise than by weight
4 and shall be manufactured for sale and sold only in units of sixteen or twenty-
5 four ounces, or multiples of one pound. When multiple loaves are baked, each
6 unit of the loaf shall conform to the weight required by this section. The
7 weights herein specified shall be construed to mean net weights twelve hours
8 after baking to be determined by the average weight of at least twelve loaves.
9 *Provided, however,* such unit weights shall not apply to rolls or fancy bread
10 weighing less than four ounces, nor to loaves bearing a plain statement in intel-
11 ligible English, words and figures of the weight of the loaf and the name of the
12 manufacturer thereof. In case of wrapped bread, such information shall be
13 stated upon the wrapper of each loaf; and in the case of unwrapped bread it

14 shall be stated by means of a pan impression or other mechanical means or
15 shall be stated upon a label not larger than one by one and three-quarters
16 inches, and not smaller than one by one and a half inches. Such label affixed to
17 an unwrapped loaf shall not be affixed in any manner or use any gums or pastes
18 which are unsanitary and unwholesome and there shall not be more than one
19 label on a loaf or unit.

20 The Department of Agriculture shall prescribe such rules and regulations
21 as may be necessary to enforce this section, including reasonable tolerances or
22 variations within which all weights shall be kept: *Provided, however,* that such
23 tolerance or variations shall not exceed one ounce per pound under the standard
24 unit or marked weight. The Department of Agriculture and under its orders the
25 local sealers of weights and measures shall cause the provisions of this section
26 to be enforced.

Sec. 2. Before any prosecution is begun under this act the parties con-
cerned shall be notified by written notice and be given an opportunity to be
heard before the said Department.

Sec. 3. Any person convicted of violating Section 1 of this Act, shall for
the first offense, be punished by a fine in a sum of not less than fifteen dollars
(\$15.00), and not more than one hundred dollars (\$100.00), or by imprisonment
in the county jail not exceeding thirty days or by both such fine and imprison-
ment, in the discretion of the court, and for the second and each subsequent
offense by a fine of not less than twenty-five dollars (\$25.00) or more than two
hundred dollars (\$200.00) or by imprisonment in the county jail not exceeding
one year or by both fine and imprisonment, in the discretion of the court.



- 1 Introduced by Mr. G. J. Johnson, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

A BILL

For an Act to authorize counties to provide a means for the burial of deceased soldiers, sailors and marines, and their mothers, wives and widows.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The county board of each county in this
3 State shall have the power, subject to the referendum hereinafter provided for,
4 to purchase suitable sites for burial grounds for deceased soldiers, sailors and
5 marines of the army and navy of the United States who died in service and for
6 honorably discharged soldiers, sailors and marines, who served in the army or
7 navy of the United States during the Civil War, the Spanish-American war,
8 the Phillipine Insurrection, the Boxer Uprising in China, or the war with Ger-
9 many, and their mothers, wives or widows, who may die without having suffi-
10 cient means to purchase a grave and defray funeral expenses; to establish and
11 maintain suitable headquarters, cemetery buildings, and other auxiliary institu-
12 tions connected with such burial grounds; and to pay the funeral and burial
13 expenses of such persons and to provide suitable headstones for their graves;

14 and shall have the power to levy and collect for such purposes, a tax not exceed-
 15 ing two mills on the dollar (\$1.00) annually, on all taxable property within the
 16 county, such tax to be levied and collected in like manner as the general taxes
 17 of the county, and to form, when collected a fund to be known as "*Soldiers' and*
 18 *Sailors' Burial Fund.*" This tax shall be in addition to all other taxes which
 19 the county is now, or hereafter may be, authorized to levy on the aggregate val-
 20 uation of all property within the county, and the county clerk, in reducing tax
 21 levies under the provisions of Section 2 of "An Act concerning the levy and ex-
 22 tension of taxes," approved May 9, 1901, in force July 1, 1901, as amended, shall
 23 not consider the tax for the "*Soldiers' and Sailors' Burial Fund,*" authorized
 24 by this Act, as a part of the general tax levy for county purposes and shall not
 25 include this tax in the limitation of two per cent (2%) of the assessed valuation
 26 upon which taxes are required to be extended.

Sec. 2. When one hundred legal voters of any county shall present a peti-
 2 tion to the county board of such county, asking that an annual tax may be
 3 levied for the establishment and maintenance of a Soldier's and Sailors' Burial
 4 Fund in such county, such county board shall instruct the county clerk
 5 to, and the county clerk shall, in the next legal notice of a regular
 6 general election in such county, give notice that at such election every elector
 7 may vote "For the levy of a tax for a Soldiers' and Sailors' Burial Fund," or
 8 "Against the levy of a tax for a Soldiers' and Sailors' Burial Fund," and pro-
 9 vision shall be made for voting on such proposition, in accordance with such
 10 notice, and if a majority of all the votes cast upon the proposition shall be for
 11 the levy of a tax for a Soldiers' and Sailors' Burial Fund the county board of
 12 such county shall thereafter annually levy a tax of not to exceed two mills on
 13 the dollar (\$1.00), which tax shall be collected in like manner as other general
 14 taxes in such county and shall be paid into the "*Soldiers' and Sailors' Burial*
 15 *Fund,*" and thereafter the county board of such county shall annually appro-
 16 priate from such fund such sums of money as may be deemed necessary to pay

17 the expenses which shall be accrued in carrying out the provisions and purposes
18 of this Act.

Sec. 3. When in any county such proposition for the levy of a tax for a
2 county Soldiers' and Sailors' Burial Fund has been adopted, the chairman of
3 the county board of such county shall, with the approval of the county board,
4 proceed to appoint a board of three directors, all of whom shall be chosen with
5 reference to their special fitness for such office, to have charge of the undertak-
6 ings and activities contemplated by this Act.

Sec. 4. One of the directors shall hold office for one year, another for two
2 years, and another for three years, from the first day of July following their
3 appointment, but each until his successor is appointed and at their first regular
4 meeting they shall cast for the respective terms. Annually thereafter the chair-
5 man of the county board shall, before the first day of July of each year appoint,
6 as before, one director, who shall hold office for three years and until his suc-
7 cessor is appointed. The chairman of the county board, by and with the consent
8 of the county board may, remove any director for misconduct or neglect of
9 duty.

Sec. 5. Vacancies in the board of directors occasioned by removal, resigna-
2 tion, or otherwise, shall be reported to the county board shall be filled in like
3 manner as original appointments. No director shall receive compensation as
4 such, or be interested, either directly or indirectly, in the purchase or sale of
5 any property or supplies to be used in carrying out the purpose of this Act.

Sec. 6. The directors shall, immediately after appointment, meet and or-
2 ganize, by the election of one of their number as president and one as secretary.
3 They shall make and adopt such laws, rules and regulations for their own guid-
4 ance and for the government of the soldiers' and sailors' burial grounds of the
5 county and auxiliary institutions and activities connected therewith, as may be
6 expedient and not inconsistent with this Act. They shall have the exclusive con-

7 trol of the expenditure of all moneys appropriated from the Soldiers' and
 8 Sailors' Burial Fund, and of the laying out of sites for burial purposes, the
 9 construction of any cemetery buildings, or other necessary auxiliary institutions
 10 and of the activities in connection therewith, and of the supervision, care, and
 11 custody of the grounds and buildings. The board of directors shall have the
 12 power to purchase or lease ground within the limit of the county, and to occupy,
 13 lease or erect appropriate cemetery buildings or other buildings, by and with the
 14 approval of the County Board. No cemetery site shall be purchased or leased
 15 however, until detailed plans therefor have been submitted to the County Board
 16 and have been approved by them. The board of directors shall have the power
 17 to appoint suitable superintendents, care-takers and all necessary assistants,
 18 and to fix their compensation, and shall also have the power to remove such ap-
 19 pointees.

Sec. 7. The board of directors, in the name of the county, may receive from
 2 any person any contribution or donation of money or property and shall pay over
 3 to the treasurer of such county for the Soldiers' and Sailors' Burial Fund all
 4 moneys thus received, within one month after they are received and shall take
 5 the receipt of the county treasurer therefor; and shall also, at each regular
 6 meeting of the county board report to the county board the names of all persons
 7 from whom any such contributions or donations have been received, since the
 8 date of the last report, and the amount and nature of the property so received
 9 from each, and the date when the same was received. The board of directors
 10 shall make on or before the second Monday in June of each year, an annual re-
 11 port to the county board, stating the condition of the Soldiers' and Sailors' Bur-
 12 ial Fund on the first day of June of that year, the number of burials, and such
 13 other statistics, information and suggestions as they may deem of general in-
 14 terest.

Sec. 8. The board of directors are authorized to pay, out of the money
 2 which is appropriated to them from the county Soldiers' and Sailors' Burial

3 fund, the funeral and burial expenses of persons who come within the descrip-
4 tion in Section 1 of this Act, but in no one case shall they pay for such purpose
5 more than seventy-five dollars; and they are authorized to buy and erect suitable
6 headstones on the graves of such persons. But no money shall be expended to
7 pay the funeral and burial expenses of any soldier or sailor who was an inmate
8 of any Soldiers' and Sailors' Home at the time of his death.

Sec. 9. "An Act to provide for the burial of deceased soldiers, sailors and
2 marines of the late Civil War, the Spanish-American War, the Philippine Insur-
3 rection, the Boxer Uprising in China, and with the Allied Armies and in the
4 armies of the United States in the war with the Central Powers, or their moth-
5 ers, wives or widows", approved May 24, 1907, in force July 1, 1907, as amend-
6 ed, is repealed.



I Adopted May 5, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 371 on page 5, by striking all of section 9.



- 1 Introduced by Mr. MacNiel, March 15, 1921
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 89a of the Act entitled, "An Act to establish and maintain a system of free schools." Approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 89a of the Act entitled, "An
3 Act to establish and maintain a system of free schools," and approved and in
4 force June 12, 1909, be amended to read as follows:

Sec. 89a. (a) That the inhabitants of any compact and contiguous terri-
2 tory may organize a Community High School in the manner hereinafter pro-
3 vided: provided said territory shall not extend its boundary to within more than
4 one-half the distance from the boundary line of any incorporated city or vil-
5 lage to the boundary line of any other incorporated city or village not included
6 within the territory sought to be organized. Said territory may be organized
7 whether in the same or different townships or parts of townships and the peti-
8 tion for election shall, with particularity, describe the territory sought to be
9 organized into a Community High School District and shall also recite that it

10 is desired to establish at some central point most convenient to the pupils of the
11 district, a Community High School with a program of studies extending through
12 four school years, and shall also pray that the County Superintendent of
13 Schools of the County where the greater portion of the territory is situate shall
14 ascertain the last total assessed valuation of all the taxable property, including
15 railroads, within the territory sought to be organized.

16 (b) Upon the receipt by the County Superintendent of Schools of the
17 county in which the greater portion of the territory sought to be organized is
18 situate, of a petition, reciting in substance and in conformity with this Act, signed
19 by one hundred or more legal voters, at least fifty of which shall be land own-
20 ers and resident tax payers, he shall record the same and within ten days after
21 receipt of same, notify in writing the County Judge and County Clerk of each
22 county of which the territory described is a part and fix a date not later than
23 ten (10) days after said notice for consideration of said petition and a deter-
24 mination of the last assessed valuation of all taxable property within the said
25 territory described including railroads and thereupon a meeting shall be held
26 which may be continued not to exceed a further period of ten days and said
27 officers shall examine said petition and shall file in writing with the County
28 Superintendent, a certificate stating the last assessed valuation of all taxable
29 property within the territory described and same shall be filed and recorded by
30 the said County Superintendent of Schools, and he shall within ten days thereafter
31 order an election to be held for the purpose of voting for or against the propo-
32 sition to establish a Community High School, the polls of which said election
33 shall be kept continuously open from 8 o'clock A. M. until 5 o'clock P. M. of
34 the same day, and shall also cause to be posted for at least twenty-one days in
35 ten of the most public places throughout the said territory and published for at
36 least two successive weeks in a newspaper of general circulation published
37 within the proposed territory or if there be no such newspaper, then in a news-
38 paper of general circulation published in the county seat or county seats of the

39 county or counties in which all or a portion of the proposed territory is situate,
 40 notices of which may be substantially in the following form:

41 NOTICE OF ELECTION.

42 Notice is hereby given that on.....the.....day of.....19...
 43 an election will be held at.....and at.....for the
 44 purpose of voting for or against the proposition to establish a community high
 45 school for the benefit of the inhabitants of the following described contiguous
 46 and compact territory, to-wit.....

47
 48

49 The polls will be opened at 8 o'clock A. M. and closed at 5 o'clock P. M. of
 50 the same day: A.....B.....
 51 County Superintendent.

52 The last assessed valuation of all taxable property within the territory de-
 53 scribed is \$...... (.....Dollars).

54 Dated this.....19....

55 Each notice shall contain, in type of the same size as other parts of the
 56 said notice, the assessed valuation as certified, of all the taxable property, in-
 57 cluding railroads, within the territory sought to be organized. And the said
 58 County Superintendent of Schools shall also establish as near the center as may
 59 reasonable be done of each two square mile of territory, a polling place within
 60 the territory described in the petition and appoint by warrant in writing two
 61 judges and a clerk for each polling place, and all his actions in the premises
 62 shall, from time to time, be recorded by him in his office, and said Superintend-
 63 ent shall furnish all ballots, ballot boxes, tally sheets, poll books, forms and
 64 blanks necessary for the proper holding of the election and the names of all
 65 persons casting a ballot at said election shall be returned to him and preserved
 66 for one year together with the ballots and returns of said election.

67 (c) The ballots shall be substantially in the following form, to-wit:

OFFICIAL BALLOT.

For the establishment of a community high school.	
Against the establishment of a community high school.	

69 The voter shall make a cross mark in the square following opposite the
 70 proposition favored and the ballot shall be so counted. The said judges shall
 71 previous to any vote being received severally take an oath or affirmation as pro-
 72 vided by general election law of the State of Illinois and shall keep a register of
 73 the name of each and every voter voting at said election and shall not permit
 74 any person not a legal voter of said territory to cast a ballot at said election
 75 and said judges and clerks of election shall return the results of said election
 76 under oath to the said County Superintendent of Schools, within five days after
 77 the same have been canvassed. The County Superintendent of Schools shall
 78 cause said ballots to be printed and initial the back of each and every ballot
 79 and keep a record of the number of ballots distributed and of the unused or de-
 80 fective ballots returned and shall thereupon, within five days after the receipt of
 81 said returns, publish a notice of the result thereof in newspaper of general cir-
 82 culation as aforesaid.

83 (d) If a majority of the votes cast at the election shall be in favor of
 84 establishing a Community High School, the County Superintendent of Schools
 85 shall forthwith order an election to be held within thirty days for the purpose
 86 of selecting a Community High School Board of Education to consist of five
 87 members, by posting notices for at least ten days in ten of the most public places
 88 throughout the district, which notices shall be substantially as follows, to-wit:

89 NOTICE OF ELECTION.

90 Notice is hereby given that on.....the.....day of.....19.,
 91 an election will be held at.....and.....for the
 92 purpose of electing a community high school board of education, to consist of

93 five members. The polls will be opened at 8 o'clock A. M. and closed at 5 o'clock
 94 P. M. of the same day. A.....B.....
 95 County Superintendent.

96 Dated this.....19....

97 The County Superintendent of Schools shall establish and designate the
 98 polling places according to the former designation of the same, prepare and
 99 distribute ballots as in division (c) and appoint two judges and a clerk for each
 100 polling place in the manner specified and the returns shall be made, as specified,
 101 to the County Superintendent of Schools within five days.

102 Within ten days after their election, the members of the community high
 103 school board of education shall meet and organize by electing one of their
 104 number president and by electing a secretary; also, determine by lot the time
 105 each member is to serve. Two of the members shall serve for one year, two for
 106 two years and one for three years, from the second Saturday in April next pre-
 107 ceding their election. At the expiration of the term of office of any member or
 108 members, a successor successors shall be elected, each of whom shall serve for
 109 three years. All subsequent elections shall be held on the second Saturday in
 110 April, annually. The manner of holding elections shall be governed by Section
 111 86 of this Act. In case of a vacancy, the remaining members shall appoint a suc-
 112 cessor for the unexpired term. It shall be the duty of the community high school
 113 board of education, at some central point, most convenient, to a majority of the
 114 pupils of the district a community high school with a program of studies extend-
 115 ing through four school years.

116 (c) If a majority of the votes cast at any election held under the provi-
 117 sions of this section, shall be against establishing a community high school, the
 118 proposition of establishing a community high school shall not be again submitted
 119 to the voters of the same territory or any part thereof within two years after
 120 the holding of such election.



- 1 Introduced by Mr. McCabe, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act in relation to the regulation of the practice of osteopathy.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It shall be unlawful for any person to
3 practice osteopathy without a license so to do.

Sec. 2. The practice of medicine and surgery in all their branches, by
2 persons now or hereafter authorized under the laws of this State to practice
3 as such shall in no wise be affected by the provisions of this Act.

Sec. 3. All licenses or certificates heretofore issued pursuant to the laws
2 of this State, authorizing the holder thereof to treat human ailments without the
3 use of medicine, internally or externally and without operative surgery, or to
4 practice midwifery, and in force July 1, 1921, shall in no wise be affected by
5 the provisions of this Act.

Sec. 4. No person shall, except as otherwise provided in this Act, hereafter
2 be licensed to practice osteopathy, or any other system or method of treating

3 human ailments, or midwifery, unless he shall pass a satisfactory examination
 4 conducted by the Department of Registration and Education, pursuant to an
 5 Act entitled, "An Act in relation to the civil administration of the State govern-
 6 ment, and to repeal certain Acts therein named," approved March 7, 1917, in
 7 force July 1, 1917; provided, that the functions and duties of the Department
 8 of Registration and Education, as set forth in Section 10 of the foregoing
 9 (commonly known as the Civil Administrative Code), in so far as they affect
 10 or relate to the practice of osteopathy, shall be exercised by the said Depart-
 11 ment of Registration and Education upon the action and report in writing of five
 12 persons, all of whom shall be reputable osteopathic physicians, licensed as such
 13 under the laws of this State, no one of whom shall be a nofficer, trustees, instruc-
 14 tor or stockholder in any professional school or college of osteopathy. Said
 15 persons shall be designated from time to time by the director of Registration
 16 and Education, and in making the designation of such persons the director
 17 shall give due consideration to recommendations by members of the osteopathic
 18 profession and by organizations therein.

Sec. 5. Each applicant for the examination provided in this Act shall com-
 2 ply with the following requirements:

3 (1) Make application for examination on blank forms prepared and fur-
 4 nished by the Department of Registration and Education.

5 (2) Submit evidence, verified under oath and satisfactory to the Depart-
 6 ment of Registration and Education, that the applicant is twenty-one (21)
 7 years of age or over and has the preliminary and professional education re-
 8 quired by this Act.

9 (3) Designate in his application whether his desires to practice:

10 (a) As an osteopathic physician, or

11 (b) As an osteopathic physician and surgeon.

12 (4) Pay in advance to the board fees as follows:

13 (a) For examination in osteopathy, \$10.00.

(b) For examination in surgery, \$10.00.

(c) For issuance of license, \$5.00.

(d) For a license to a practitioner admitted from a foreign state or country, under the provisions of Section 10 hereof, the same fees charged by the State endorsing the application of an Illinois physician applying for registration in such state, but in no case less than \$25.00.

(e) For an examination to determine the preliminary educational fitness of the applicant in those cases where the applicants fails to present a proper certificate showing that he has satisfactorily completed an approved course of study in a high school or other equivalent school, as provided in Section 6 hereof, \$5.00.

Sec. 6. Standards of preliminary education deemed requisite for admission to a reputable osteopathic school, college or institution in good standing are fixed as follows:

(1) That the applicant for admission has satisfactorily completed an approved course of study in a high school or other equivalent school having a course of study requiring an attendance through four (4) years and which is approved by the Department of Registration and Education; or,

(2) That the applicant present a certificate of having passed a satisfactory written examination before the Superintendent of Public Instruction of this State, or like State officer of another state or country, in the studies embraced in the curriculum of a highschool approved by the Department of Registration and Education.

Sec. 7. Standards of professional education are fixed as follows:

(1) To practice as an osteopath physician:

(a) The applicant shall be a graduate of a professional school or college of osteopathy which requires as a prerequisite of graduation four (4) years' course of instruction, the time elapsing between the beginning of the first year

6 and the ending of the last or fourth year to be not less than forty (40) months,
7 and which is deemed to be reputable and in good standing.

8 (2) To practice as an osteopathic physician and surgeon the applicant, in
9 addition to the requirements of this section hereinbefore set forth, shall submit
10 evidence that he has:

11 (a) Completed a two (2) year post-graduate course in a reputable profes-
12 sional school or college of osteopathy in good standing, involving a thorough
13 and intensive study in the subject of surgery; or,

14 (b) Completed a one (1) year post-graduate course in a reputable school
15 or college of osteopathy, as aforesaid, and in addition thereto a one (1) year
16 course of training in a hospital approved by the Department of Registration and
17 Education.

Sec. 8. Examination of those who desire to practice as osteopathic physi-
2 cians shall embrace those general subjects and topics a knowledge of which is
3 commonly and generally required of candidates for a degree of Doctor of Os-
4 teopathy by reputable osteopathic schools or colleges in the United States. It
5 shall not include the subject of major surgery, but shall include minor surgery.

6 Examination of those who desire to practice as osteopathic physicians and
7 surgeons shall be of the scope defined in the first paragraph of this section, and
8 in addition thereto, with respect to the subject matter of major surgery, shall
9 be of such character as to thoroughly test the qualifications of the applicant as
10 a practitioner of osteopathy and surgery.

Sec. 9. Each applicant who successfully passes the examinations pre-
2 scribed by this Act shall be entitled to a license. The following kinds of licenses
3 shall be issued:

4 (1) To practice as an Osteopathic physician without operative major
5 surgery;

6 (2) To practice as an Osteopathic physician and surgeon.

7 Nothing herein contained shall be construed to deny to any person licensed

8 under the provisions of this Act the right to use anesthetics, germicides, para-
9 siticides, narcotics, and antidotes, as taught in reputable schools or colleges of
10 Osteopathy in good standing under the provisions of this Act.

Sec. 10. The Department of Registration and Education may in its discre-
2 tion issue a license, without examination, to a practitioner who has been licensed
3 in any country, state, territory or province, upon the following conditions:

4 (1) That the applicant is of good moral character;

5 (2) That the applicant shall designate in his application whether he desires
6 to practice (a) as an Osteopathic Physician, or (b) as an Osteopathic Physician
7 and Surgeon.

8 (3 That the requirements of registration in the country, state, territory
9 or province in which the applicant is licensed, are deemed by the Department
10 of Registration and Education to have been practically equivalent to the require-
11 ments of registration in force in this State at the date of such license.

12 The Department of Registration and Education may also in its discretion
13 issue a license, without examination, to an Osteopathic Physician who is a grad-
14 uate of an Osteopathic College in good standing and who has passed an exam-
15 ination for admission into the Medical Corps of the United States Army, United
16 States Navy, or the United States Public Health Service.

17 It may likewise in its discretion, in exceptionally meritorious cases, issue
18 a license to a reputable osteopathic physician applying for reciprocity under the
19 provisions of this section, who is unable to comply with the requirements hereof
20 relating to examinations as the basis for the issuance of license.

Sec. 11. Every holder of a license shall display it in a conspicuous place in
2 his principal office, place of business or employment.

Sec. 12. Osteopathic Physicians shall observe and be subject to all State and
2 municipal regulations relative to reporting all births and deaths and all matters
3 pertaining to the public health, with equal rights and obligations as physicians

4 of other schools of medicine, and such reports shall be accepted by the officers
5 of the department to which the same are made.

6 Osteopathic physicians or Osteopathic physicians and surgeons licensed
7 hereunder shall have the same rights as physicians or surgeons of other schools
8 of medicine with respect to the treatment of cases or holding of offices in public
9 institutions.

Sec. 13. The Department of Registration and Education may either refuse
2 to issue or may suspend or revoke any license for any one of, or any combina-
3 tion of the following causes:

4 (a) Conviction of a felony, as shown by a certified copy of the record of
5 the court of conviction;

6 (b) The obtaining of, or an attempt to obtain, a license or practice in the
7 profession, or money, or any other thing of value, by fraudulent misrepresen-
8 tations:

9 (c) Gross malpractice;

10 (d) Continued practice by a person knowingly having an infectious or con-
11 tagious disease;

12 (e) Advertising by means of knowingly false or deceptive statements;

13 (f) Advertising, practicing, or attempting to practice under a name other
14 one's own;

15 (g) Habitual drunkenness, or habitual addiction to the use of morphine,
16 cocaine, or other habit-forming drugs.

17 The Department of Registration and Education may neither refuse to issue,
18 nor refuse to renew, nor suspend, nor revoke any license, however, for any of
19 these causes, unless the person accused has been given at least twenty (20) days'
20 notice in writing of the charges against him and a public hearing by the Depart-
21 ment of Registration and Education.

22 The Department of Registration and Education shall have the power to
23 compel the attendance of witnesses and the production of relevant books and

24 papers for the investigation of matters that may come before them, and the pre-
25 siding officer of said Department may administer the requisite oaths and such
26 Department shall have the same authority to compel the giving of testimony as
27 is conferred on courts of justice.

Sec. 14. Each of the following acts constitutes a misdemeanor, punishable,
2 upon conviction by a fine of not less than twenty-five dollars (\$25.00) nor more
3 than two hundred dollars (\$200.00).

4 (a) The practice of Osteopathy or an attempt to practice Osteopathy with-
5 out a license;

6 (b) The obtaining of, or an attempt to obtain a license, or practice in the
7 profession, or money, or any other thing of value by fraudulent misrep-
8 resentation;

9 (c) The making of any willfully false oath or affirmation whenever an oath
10 or affirmation as required by this Act;

11 (d) Advertising, practicing or attempting to practice under a name other
12 than one's own.

Sec. 15. The Department of Registration and Education shall keep a record
2 which shall be open to public inspection at all reasonable times, of its proceed-
3 ings relating to the issuance, refusal, renewal, suspension and revocation of
4 licenses to practice Osteopathy or Osteopathy and Surgery. This record shall
5 also contain the name, known place of business and residence, and the date and
6 number of the license of every registered Osteopath.

Sec. 16. All Acts or parts thereof, conflicting herewith, are hereby
2 repealed.

Sec. 17. Should the Courts declare any section or any part of a section of
2 this Act unconstitutional or unauthorized by law, or in conflict with any other
3 section or part or sub-division of a section or provision of this Act, then such
4 decision shall affect only the section or part or subdivision of a section, or pro-

5 vision so declared to be unconstitutional, and shall not affect any other section
6 or any other part or subdivision of a section or provision or part of this Act.
7 It is further expressly provided that each section and each part or subdivision
8 of a section herein, so far as an inducement for the passage of this Bill is con-
9 cerned, is independent of every other section, and every other part or subdivi-
10 sion of a section, and no section or any or subdivision of a section is an induce-
11 ment for the enactment of any other section or part or subdivision of a section.

Sec. 18. This Act may be known and cited as "The Illinois Osteopathic
2 Act."



- 1 Introduced by Mr. McClugage, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 2 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named", approved February 25, 1898, in force July 1, 1898, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named," approved February 25, 1898, in force July 1, 1898, as amended, is amended to read as follows:

Sec. 2. In counties under township organization of less than 125,000 inhabitants, the county treasurer shall be *ex officio* supervisor of assessments in his county, and shall receive as compensation for his services as supervisor of assessments the sum of one thousand dollars (\$1,000) per annum: *Provided*, that in counties having a population of less than 45,000 he shall receive the sum of five hundred dollars (\$500) per annum. He shall have a suitable office, to be provided and furnished by the county board, in which he shall keep, subject to

8 the inspection of all persons who shall desire to consult the same, the assess-
9 ment books returned to him as directed by law. He shall keep his office open
10 for business from 9 o'clock a. m. to 5 o'clock p. m. of every day except Sundays
11 and legal holidays. He may, by and with the advice and consent of the county
12 board, appoint necessary deputies and clerks, their compensation to be fixed by
13 the county board and paid by the county. The supervisor of assessments shall,
14 on or before the first day of April in each year assemble all assessors and their
15 deputies for consultation, and shall give such instructions to them as shall tend
16 to a uniformity in the action of the assessors and deputy assessors in his county.
17 Any assessor or deputy assessor who shall willfully refuse or neglect to ob-
18 serve or follow the direction of the supervisor of assessments, which shall be in
19 accordance with law, shall, upon conviction thereof in any court of competent
20 jurisdiction, for each offense be fined not less than fifty dollars nor more than
21 five hundred dollars, or be confined in the county jail not exceeding six months,
22 in the discretion of the court. In counties under township organization where
23 a town assessor shall be unable alone to perform all the duties of his office, he
24 may, by and with the advice and consent of the town board of auditors first ob-
25 tained, appoint one or more suitable persons to act as deputies to assist him in
26 making the assessment. The compensation of the township assessors shall be
27 as follows: In townships containing not less than five thousand (5,000) inhab-
28 itants they shall receive not less than five dollars (\$5.00) nor more than ten
29 dollars (\$10.00) per day; *Provided*, that in townships containing more than fif-
30 teen thousand (15,000) inhabitants, additional compensation may be allowed,
31 making their entire compensation for making the assessment, a sum not exceed-
32 ing one thousand dollars (\$1,000.00); in townships containing less than five
33 thousand (5,000) inhabitants they shall receive not less than two and one-half
34 dollars (\$2.50) nor more than five dollars (\$5.00) per day; *necessary deputy*
35 *assessors shall receive such sum as shall be fixed by the board of town auditors.*
36 The compensation as herein provided shall be fixed by the board of town audit-
37 ors and shall be based upon the time actually employed in the making of such as-

38 sessment and such assessors and deputies shall make affidavit of the time so em-
39 ployed. Population as herein used shall be deemed to be the population of such
40 townships as ascertained by the last preceding federal and school
41 census.



1. Introduced by Mr. D. S. Myers, March 15, 1921.
2. Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to authorize the purchase of a site for, and the erection of, an armory at Pontiac, Illinois, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings shall select a suitable site for the erection of an armory at Pontiac,
4 Illinois, for the use of the military forces of the State of Illinois. Title to the
5 site so selected shall be taken in the name of the State of Illinois and the deed
6 or deeds thereto shall be filed in the office of the Secretary of State.

Sec. 2. After the title to the site so selected has been acquired, as pro-
2 vided in this Act, it shall be the duty of the Department of Public Works and
3 Buildings to cause an armory to be erected or constructed thereon.

Sec. 3. The sum of eighty thousand dollars (\$80,000) is hereby appropri-
2 ated to the Department of Public Works and Buildings for the purpose of carry-
3 out the provisions of this Act.

Sec. 4. This appropriation is subject to the provisions of an Act entitled
2 "An Act in relation to State Finances," approved June 10, 1919, in force July
3 1, 1919.



- 1 Introduced by Mr. Rutshaw, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to provide for the partial support of mothers whose husbands are dead; or are inmates of a penal institution under a sentence which will not terminate within three months after the date of application; or are inmates of a State Insane Asylum or hospital; or are unable to labor for the support of their families by reason of physical or mental disabilities; or have deserted and the mother has made and is still making a reasonable effort to ascertain the husband's whereabouts and to compel him to support his children, when such mothers have children under fourteen years of age and are citizens of the United States of America and residents of the county in which application for relief is made. And, also, to provide for the probationary visitation, care and supervision of the family, for whom benefit such support is provided.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: JURISDICTION.]* The Juvenile Court, or
3 where there there is no Juvenile Court, the County Court in the several counties
4 of the State, shall have original jurisdiction in all cases coming within the terms
5 of this Act.

Sec. 2. A woman whose husband is dead; or is an inmate of a penal institution under a sentence which will not terminate within three months after the date of her application; or is an inmate of a State Insane Asylum or hospital; or is unable to labor for the support of his family by reason of physical or mental disabilities, or has deserted his wife and she has made and is still making a reasonable effort to ascertain his whereabouts and to compel him to support his children, may file an application for relief under this Act, providing such woman has a previous residence for one year in the County where such application is made and is the mother of the child or children.

Sec. 3. OFFICIAL INVESTIGATION AND REPORT.] Whenever an application for relief is filed the home of the applicant shall be visited by an officer of the court having jurisdiction of the matter, and the facts set forth in such application shall be investigated by such officer under the direction of the court, and a report and recommendation of the approval or disapproval of such application shall be made in writing by such officer to the court without any unnecessary delay.

Sec. 4. PETITION—FORM OF.] After the investigation of such application for relief by an officer of the court and the filing of the report and the recommendation thereon of such officer, such officer of court or any reputable and reasonable person who has a residence in the county may file with the clerk of the court having jurisdiction of the matter, a petition in writing duly verified by affidavit setting forth such facts as are necessary under this Act to give the court jurisdiction of the parties and of the subject matter, and setting forth such other facts, which, when found by the court to be true, shall be the basis upon which, the order of relief is entered. It shall be sufficient that the affidavit is upon knowledge, information and belief. A separate petition shall be filed for each child. The mother of such child and the county board of the county in which the petition is filed shall be made parties respondent to such petition.

Sec. 5. SUMMONS.] Upon the filing of such petition a summons returnable not less than three days nor more than ten days after the date thereof shall issue

3 to the respondents to appear at a place and time stated in the summons which
4 time shall be on the return day of such summons.

Sec. 6. SERVICE.] Service of summons shall be made in the same manner
2 as is provided for the service of a summons in an Act entitled, "An Act to regu-
3 late practice in courts of chancery," approved March 15, 1872, in force July 1,
4 1872.

Sec. 7. NEW PROCESS.] Whenever process shall not be returned executed on
2 or before the day thereof, the court may direct the clerk to issue an alias, pluries
3 or other process, returnable at a time ordered by the court.

Sec. 8. APPEARANCE—HEARING.] The filing of a written appearance by a
2 respondent shall render the service of summons on such respondent unneces-
3 sary. The court shall proceed to hear the cause upon the return day of the
4 summons or upon a day thereafter to be fixed by the court without the formality
5 of the respondents filing answer: *Provided*, all the respondents have either been
6 served with the summons or have their written appearance in said cause.

Sec. 9. HEARING—ORDER OF PAYMENT—DUTY OF COUNTY BOARD.] Upon the
2 hearing in court of a petition under this Act, the court, being fully advised in the
3 premises finding the facts alleged in the petition to be true, may make an order
4 upon the county board of the county to pay to the mother of the child or children
5 in whose behalf the petition or petitions are filed an amount of money necessary
6 to enable such mother to properly care for such child or children. It thereupon
7 shall be the duty of the county board, through its county agent or otherwise, to
8 pay to such mother at such times as said order may designate the amount so
9 specified for the care of such child or children until the further order of the court.

Sec. 10. AMOUNT OF ALLOWANCE.] The allowance to such mother may be
2 such an amount as the court shall deem sufficient under the particular circum-
3 stances of the case.

Sec. 11. CONDITIONS UPON WHICH RELIEF IS GRANTED.] Such relief is granted

2 by the Court only upon the following conditions:

3 (1) The child or children for whose benefit the relief is granted must be
 4 living with the mother of such child or children; (2) the court must find that it is
 5 for the welfare of such child or children to remain at home with the mother;
 6 (3) the relief shall be granted only when in the absence of such relief the mother
 7 would be required to work regularly away from her home and children, or when
 8 in the absence of such relief it would be necessary to commit such child or chil-
 9 dren to a dependent institution and when by means of such relief she will be able
 10 to remain at home with her children, except that she may be absent for work a
 11 definite number of days each week to be specified in the court's order, when such
 12 work can be done by her without the sacrifice of health or the neglect of home
 13 and children; (4) such mother must, in the judgment of the court, be a proper
 14 person, physically, mentally and morally fit, to have the care and custody of her
 15 children; (5) the relief granted shall, in the judgment of the court, be necessary
 16 to save the child or children from neglect; (6) a mother shall not receive such
 17 relief who is the owner of real property or personal property other than the
 18 household goods, but no mother who shall be the holder of or entitled to, a home-
 19 stead under the exemption laws of this State, or who is the holder of, or entitled
 20 to a dower right in real estate, provided the fair cash market value of the
 21 mother's interest in said real estate is not more than one thousand (\$1,000)
 22 dollars, shall be denied relief under the provision of this Act; (7) a mother shall
 23 not receive such relief who has not resided in the county where the application is
 24 made at least one year next before making such application; (8) a mother shall
 25 not receive such relief if her child or children has or have relatives of sufficient
 26 ability, and who shall be obligated by the finding and judgment of the court by
 27 competent jurisdiction, to support them.

Sec. 12. RELIEF FOR CHILD BETWEEN FOURTEEN AND EIGHTEEN YEARS.] When-

2 ever any child shall arrive at the age of fourteen years any relief granted to the

3 mother for such child shall cease: *Providing*, if a child of fourteen years of age
4 be ill or is incapacitated for work; or if the mother desires and will continue such
5 child in school, the mother shall receive funds for the care of such child or chil-
6 dren during such illness or incapacity or for the years during which such child
7 shall continue at school, until such child is eighteen years of age. The court may,
8 in its discretion, at any time modify or vacate the order granting relief to any
9 mother and for any child.

Sec. 13. PRESENCE OF HUSBAND.] Whenever relief is granted or is about to
2 be granted to a mother whose husband is permanently incapacitated for work
3 by reason of physical or mental infirmity and the presence of such husband in the
4 family is a menace to the physical and moral welfare of the mother or children,
5 the court may require that such husband be removed from the home and the pro-
6 vision for his care made elsewhere, or failing to remove such husband or upon
7 his refusal to be separated from his family, the court may, in its discretion,
8 vacate the order granting relief, or refuse the relief asked for.

Sec. 14. PROBATION OFFICERS—THEIR PAY.] The court having jurisdiction in
2 proceedings coming within the provisions of this Act shall have the power to
3 appoint one or more qualified persons of good character, who shall serve and
4 be known as probation officers, during the pleasure of the court, and who shall
5 be paid a suitable compensation by the county for their services, the amount
6 thereof to be determined by the county board.

Sec. 15. DUTY OF PROBATION OFFICERS.] It shall be the duty of such officers
2 to investigate all applications for relief and make a written report of such investi-
3 gation with the recommendations.

4 After granting relief to any mother for the support of her children it shall
5 be the further duty of such officers to visit and supervise, under the direction of
6 the court, the families to which such relief has been granted and to advise with
7 the court and to perform such other duties as the court may direct in order to
8 maintain the integrity of the family and the welfare of the children.

Sec. 16. The county board in each county shall levy a tax of not to exceed
 2 one mill on the dollar annually on all taxable property in the county, such tax to
 3 be levied and collected in like manner with the general taxes of the county, and
 4 to be known as the mothers' pension fund: *Provided*, that said tax shall not be
 5 included in the aggregate of all the taxes required to be reduced under the pro-
 6 visions of an Act entitled, "An Act concerning the levy and extension of taxes,"
 7 approved May 9, 1901, in force July 1, 1901, and the Acts amendatory thereof.

Sec. 17. PARTIAL RELIEF.] Should the fund herein authorized be sufficient to
 2 permit an allowance to only a part of the mothers coming within the provisions of
 3 this Act, the court shall select, in its discretion, those in most urgent need of such
 4 allowance.

Sec. 18. PENALTY FOR FRAUD.] Any person or persons fraudulently attempt-
 2 ing to obtain or fraudulently obtaining any allowance for relief under this Act
 3 shall be deemed guilty of a misdemeanor and on conviction thereof shall be pun-
 4 ished by a fine of not less than five dollars nor more than two hundred dollars or
 5 imprisoned in the county jail for a period not to exceed six months or both.

Sec. 19. REPEAL.] All laws or parts of laws which are inconsistent with
 2 this Act or any of the provisions thereof, are hereby repealed.



- 1 Introduced by Mr. Shearer, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act in relation to State markets.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* There is hereby established in this State
3 a State Bureau of Markets.

Sec. 2. The operation and control of the said State Bureau of Markets is

2 hereby vested in the Department of Agriculture.

Sec. 3. Said State Bureau of Markets with other agencies and officers

2 under the control of the Department of Agriculture, shall foster, promote, de-
3 velope and encourage the production and distribution of food stuffs and food
4 products, and the said State Bureau of Markets shall promote interchange and
5 distribution of supplies between and to producers necessary to enhance and
6 increase production.

Sec. 4. The terms food stuffs or food products where used in this Act shall
 2 include all farm products, garden products, orchard products, poultry
 3 and poultry products, live stock and live stock products and dairy
 4 products.

Sec. 5. Said State Bureau of Markets shall collect, collate, sort, systema-
 2 tize and report statistical details relative to the production and accumulation of
 3 food stuffs and food products; assist, aid and advise such producers in the dis-
 4 position of their products and shall be operated in a manner so as to establish
 5 as near as possible direct relations between the producer and consumer, requir-
 6 ing the least possible turnover and a minimum use of the transportation facili-
 7 ties within the State.

Sec. 6. For the purpose of carrying the provisions of this Act into effect,
 2 there shall be established in this State, under the jurisdiction of the Department
 3 of Agriculture, one chief central office, which shall be located in the city of
 4 Chicago, and three division offices, located as follows: one at Peoria, Illinois,
 5 one at East St. Louis, Illinois, and one at Springfield, Illinois; provided that the
 6 location of said offices may be changed if, in the opinion of the director of the
 7 Department of Agriculture, such change is desirable to any other city in the
 8 State of Illinois.

Sec. 7. Local offices may be established by the Department of Agriculture
 2 in any city in this State with a population of not less than twenty thousand
 3 (20,000).

Sec. 8. Each local office shall be in charge of a secretary, appointed by the
 2 Department of Agriculture, and one assistant.

3 It shall be the duty of the secretary of each local office:

4 (a) To gather and disseminate information concerning supply and de-
 5 mand in commercial movements, and maintain market news service for the
 6 purpose of disseminating such information.

7 (b) To promote, assist and encourage the producer in establishing direct
8 relations with consumers.

9 (c) To act as market adviser as to available products and customers for
10 producers and distributors, assisting them in the economic and efficient dis-
11 tribution of food stuffs at fair prices, and in all cases to encourage the inter-
12 change and sale of food stuffs, food products and dairy products, within the ter-
13 ritory where produced.

14 (d) To ascertain the names and addresses of all persons within the juris-
15 diction of said office who are distributors of food stuffs, food products and dairy
16 products to the consumer, and who convert raw material into food stuffs for
17 consumption.

18 (e) To collect, collate, sort, systemize, record and report statistical de-
19 tails relating to the production and distribution of food stuffs, food products
20 and dairy products.

21 (f) To furnish daily reports of all business transacted by his office to the
22 division office within the territory prescribed by the Department of Agricul-
23 ture, and also to the chief central office in the city of Chicago.

Sec. 9. The director of the Department of Agriculture shall furnish and
2 equip all such local offices and division offices, and the central office in the city
3 of Chicago, and supply and furnish all forms, blanks, stationery and supplies
4 for use in said office or offices, and is hereby authorized to enter into leases upon
5 a rental basis for suitable office quarters for said offices; provided that when-
6 ever said offices are located in cities where free employment offices are now or
7 hereafter may be located, the same office shall, whenever possible, be used for
8 both employment offices and offices for the bureau of markets and the expense
9 of maintenance of the same shall be divided equally between the two depart-
10 ments so occupying said office.

Sec. 10. Farmers or producers of food stuffs, food products or dairy prod-
2 ucts, desiring to take advantage of, or make use of said local or division office,

3 shall be privileged to file with the secretary, superintendent, or person in charge
4 thereof, a schedule of all food stuffs or food products and dairy products, which
5 they have, or expect to have, to sell—enumerating in detail the quantity and
6 quality, by grade, of such articles.

7 Upon receipt of such schedule by said local or division offices, the secre-
8 tary, superintendent, or person in charge thereof shall file same in said office
9 and before the close of the office each day, transmit by mail a copy of all schedules
10 filed in his office to the Division Office, and one to the Chief Central Office in the
11 City of Chicago. Division offices receiving schedules direct from producer shall
12 furnish copies of same to the Chicago office in the same manner as manufactur-
13 ers who convert raw material into food stuffs or food products for consumption,
14 or distributors who desire to establish direct connections with producers, may
15 avail themselves of the facilities of said office in the manner prescribed in Sec-
16 tion eleven of this Act.

Sec. 11. Each local and division office, and the chief central office provided
2 for in this Act, shall keep a full and complete record of all schedules filed in
3 said office; and the Department of Agriculture shall publish a weekly bulletin
4 covering the activities of said State Bureau of Markets, and the Director of the
5 Department of Agriculture through the said State Bureau of Markets shall pro-
6 vide for the posting and distribution of said weekly Bulletin in conspicuous places
7 at all shipping points, post offices, banks, creameries and other places, so that
8 the information contained therein shall be available for use of the producer.

Sec. 12. The books and records of any local division or Chicago office shall
2 not be open to public inspection; and the secretary, superintendent, or person
3 in charge of any such office shall not divulge, furnish or disclose any information
4 on file in said office, to any person, except to the Department of Agriculture, to
5 to the division office in the division wherein said local office is located, and to the
6 Chief Central Office; provided, however, that such secretary, superintnedent,
7 or other person in charge of said office is authorized, upon application in writ-

ing by any user of any of the products scheduled for sale, by persons reporting or scheduling same, to furnish the names of said producers and the amount, kind and quality of the products for sale, but such information shall be furnished to actual consumers, manufacturers of raw products for consumption and distributors dealing direct with consumer or the retail trade. Such application shall be under oath and shall give the names of the applicant, his or its business, and the purpose for which it is proposed to make said purchase, and in addition thereto, an estimate of his or its requirements for such products, averaged monthly and in case such information is not desired to assist such applicant in carrying on his or its own business, or satisfying his individual or business needs, said information shall not be furnished.

Sec. 12. No fee shall be charged for any of the services rendered by said local or division office.

Sec. 13. No person shall be employed in any position in connection with the operation of this Act who is interested directly or indirectly as owner or agent who, or the holder of any stock or interest in any firm or corporation that deals in or manufactures food stuffs or food products of any kind, and any person employed in connection with any of said offices found guilty of furnishing any information obtained by reason of said employment contrary to the provisions of this Act shall be punished by a fine not exceeding one thousand dollars (\$1,000.00) or imprisonment in the county jail not exceeding six months or by both such fine and imprisonment.

Sec. 14. In all cases the establishment of said local offices shall be left to the discretion of the Department of Agriculture, but in all cases where a petition is signed by fifty (50) farmers living in a community and doing business in a city in the State of not less than twenty thousand (20,000) population, and presented to the Department of Agriculture, an office shall be located in said city within sixty (60) days thereafter, and in counties in this State where there is no city

7 of twenty thousand (20,000) population, upon application of the County Farm
8 Bureau, the Board of Supervisors, or County Commissioners, the said office
9 shall be located at the county seat.

Sec. 15. There shall be appointed by the Governor a Superintendent of
2 Markets, whose office shall be in Springfield, Illinois, and the Director of the
3 Department of Agriculture shall assign such assistance to said Superintendent
4 of Markets as is required to carry on the business of his office. The Director
5 of the Department of Agriculture is hereby authorized to adopt such
6 rules and regulations not inconsistent with the provisions of this
7 Act, as, in its discretion, is deemed advisable to carry out the purposes
8 of this Act.

Sec. 16. The salary of the Superintendent of Markets shall be five thousand
2 dollars (\$5,000.00) per annum. The salary of the superintendent of the central
3 office shall be four thousand dollars (\$4,000.00) per annum, and of each divi-
4 sion office shall be three thousand dollars (\$3,000.00) per annum. The salary
5 of each division secretary shall be twenty-five hundred dollars (\$2,500.00) per
6 annum, and the salary of each local secretary shall be two thousand dollars
7 (\$2,000.00) per annum, and the salary of all other employees connected with
8 said Bureau of Markets shall be fixed by the division of the Department of
9 Agriculture, but in no case shall the same exceed eighteen hundred dollars
10 (\$1,800.00) per annum.

Sec. 17. No fee shall be charged for any of the services rendered by said
2 local or division office, and no officer, employee or agent of the State of Illinois
3 shall be, or act as agent of the buyer or seller, the activities of the officers, em-
4 ployees and agents of the State of Illinois shall be confined to the bringing of
5 the producer and buyer together. The State shall not by any act of its officers,
6 agents or employees assume or become responsible for debts or obligations of
7 either buyer or seller or failure of either to keep and perform their respective

8 agreements. The State does not by information furnish or services perform
9 guarantee prices quoted or offered or the stability or permanency of prices on
10 market conditions and does not pretend by any of the provisions of this Act to
11 lend its credit.



- 1 Introduced by Mr. S. B. Turner, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Sections 2, 7 and 8 of Division III of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 2, 7 and 8 of Division III of "An
3 Act to revise the law in relation to criminal jurisprudence," approved March
4 27, 1874, in force July 1, 1874, as amended, are amended to read as follows:

Sec. 2. All recognizances in criminal cases shall be taken to the People of
2 the State of Illinois, and when not taken in a court of record in open court,
3 shall be signed by the persons entering into the same, and approved and certi-
4 fied by the judge or justice of the peace taking the same.

Sec. 7. The bail shall be worth double the amount of bail expressed in the
2 recognizance over and above the amount exempt from execution, but the

3 court, judge or justice of the peace in taking bail may allow more than one bail
4 to justify, in amounts less than double the amount expressed in the recogni-
5 zance, if the whole qualification be equivalent to double the amount of bail fixed.

Sec. 8. *The bail shall make affidavit concerning the net worth of, and his*
2 *equity in, property scheduled, exclusive of all encumbrances and exemptions.*
3 The court, judge or justice of the peace *shall* examine the bail, on oath, touching
4 their sufficiency, and may receive other evidence for or against the same, in such
5 manner as he may deem proper, *and shall approve or reject the bail.*



- 1 Introduced by Mr. Weinshenker, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and Mis-
- cellany.

A BILL

For an Act to establish a State Athletic Commission and to regulate boxing and sparring.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That there shall hereafter be a state com-
mission to be known as the *State Athletic Commission of Illinois* which shall be
composed of five members, no more than of three of whom shall be members of
the same political party at the time of appointment who shall, within thirty days
from the time that this bill shall take effect, be appointed by the Governor, and
who shall hold office for the respective terms as follows, and until their succes-
sors shall be appointed and qualified: Two for a term of two years, two for a
term of four years, and one for a term of six years. Upon expiration of their
respective terms, their successors shall be appointed for a term of six years by
the Governor, and all vacancies on said commission shall be filled by the Gover-
nor for the unexpired portion of the term thereof; and the Governor shall have the
power to remove any commissioner or commissioners at will without assigning

14 any cause therefor: Provided no person interested in any way financially or
15 otherwise, in any clubs, organization, or corporation, the main object of which is
16 the holding or giving of boxing, or sparring exhibitions, shall be eligible to ap-
17 pointment on such commission. The said commission shall maintain offices for
18 the transaction of its business in the seat of the government in the City of
19 Springfield, and the Secretary of State shall provide suitable offices therefor.
20 The commission may hold meetings at any place other than the place in which
21 the general office is located, when the convenience of the parties so requires.

Sec. 2. The said commission shall, within thirty days after its appointment,
2 organize by appointing one of their number chairman of the commission for a
3 term of two years but not to exceed his term as commissioner. The said com-
4 mission shall adopt a seal and make such rules and regulations for the adminis-
5 tration of their office and the transaction of its business as they may deem ex-
6 pedient, including rules and regulations, governing boxing and sparring not
7 inconsistent herewith, and may from time to time amend such rules and regula-
8 tions as it may deem expedient. Three members of such commission shall con-
9 stitute a quorum for the transtaction of its business.

Sec. 3. The said commission may appoint and may remove a secretary
2 to the commission, whose duty it shall be to keep a full and true record of all
3 the proceedings of the commission, and preserve at its general office all its books,
4 documents and papers and to perform such other duties as the commission may
5 from time to time prescribe and he shall under the direction of said commission
6 issue subpoenas for the attendance of witnesses before the said commission with
7 the same effect as if they were issued in an action of the Circuit Court. The Sec-
8 retary to said commission shall receive a salary of five thousand dollars per
9 annum and shall furnish a bond to the State of Illinois in the penal sum of two
10 thousand dollars with good and sufficient sureties to be approved by the commis-
11 sion for the faithful performance of his duties as such secretary. The secretary
12 to the said commission shall devote his undivided services in the performance of

his duties as such secretary. The commission shall make and is hereby empowered to appoint such assistants and clerks as may be deemed necessary for the proper transaction of its business, and the salaries of the employes of the said commission shall be fixed by the said commission with the approval of the Governor.

Sec. 4. Each of said commissioners shall serve without compensation, but they shall be allowed necessary expenses for traveling and other incidentals.

Sec. 5. The salaries as provided herein shall be paid by the State Treasurer upon vouchers signed by the chairman of said commission and attested by the secretary thereof, properly drawn on the State Auditor of Public Accounts. The said commission shall make an annual report of all its proceedings to the Governor on or before the thirty-first day of December of each year together with such recommendations as the said commission in its judgment pertaining to its affairs shall deem advisable.

Sec. 6. Each of said commissioners shall have power to administer oaths in all matters pertaining to the duties of said commission; and every person, having taken an oath or made affirmation before a commissioner, shall swear or affirm, wilfully, correctly and falsely, shall be guilty of perjury, and upon conviction shall be punished accordingly.

Sec. 7. No boxing or sparring exhibitions shall be conducted by any club or organization except by license issued to such club or organization by the *State Athletic Commission of Illinois*; and no club or organization shall be entitled to receive a state license unless it has been incorporated under the laws of the State of Illinois; and provided further the membership of such club or organization shall be not less than one hundred persons who have been continuous residents in this state not less than one year. The application for a license as herein provided, shall be in writing and shall be addressed to the commission and shall be verified by some officer of the club, organization or corporation,

10 on whose behalf the application may be made. Such application shall be accom-
 11 panied by an annual fee which shall be twenty-five dollars in cities of not more
 12 than five thousand inhabitants; fifty dollars in cities of not more than fifty thous-
 13 and inhabitants; and one hundred dollars in cities of not more than seventy-five
 14 thousand inhabitants; and three hundred dollars in all cities of the State having
 15 a population of over one hundred and fifty inhabitants. Before any
 16 such license is granted to any club, organization or corporation, which have filed
 17 its application as herein provided, such applicant must file a bond in the penal
 18 sum of two thousand dollars with good and sufficient surety in the office of the
 19 commission, conditioned on the payment of the taxes herein imposed. All licen-
 20 ses granted hereunder shall expire on the thirty-first day of December in each
 21 year. All clubs, organizations or corporations granted a license hereunder must
 22 obtain a separate permit from the commission before holding any boxing or
 23 sparring exhibition. Said permit to be issued and granted only upon payment
 24 of fee which shall be as follows:

25 1. Fifty ollars (\$50.00) where the hall, room or place in which any boxing
 26 or sparring match or exhibition is given has a seating capacity of two hundred
 27 or less.

28 2. One hundred dollars (\$100.00) where the seating capacity of said above
 29 mentioned place of exhibition is more than two two hundred and not over five
 30 hundred;

31 3. Two hundred fifty dollars (\$250.00) where the seating capacity of said
 32 above mentioned place of exhibition is more than five hundred and not over one
 33 thousand;

34 4. Five hundred dollars (\$500.00) where the seating capacity of said above
 35 mentioned place of exhibition is more than one thousand and not more than two
 36 thousand;

37 5. One thousand dollars where the seating capacity of said above mentioned
 38 place of exhibition is over two thousand;

Sec. 8. No license shall be issued to any person or persons who are not citizens of the United States and who have not been legal residents of the State of Illinois for at least twelve months immediately prior to the date of application therefor.

Sec. 9. Every club, corporation or association which may hold or exercise any of the privileges under this Act shall, within twenty-four hours after the determination of every contest, furnish to the said commission a written report, duly verified by one of its officers, showing the number of tickets sold for such contest, and the amount of gross proceeds thereof, and such other matters as the commission may prescribe; and shall also within said time, pay to the said commission a tax of five per cent of its total gross receipts from the sale of tickets of admission to such boxing or sparring match or its exhibition.

Sec. 10. Whenever amateur boxing and sparring matches or exhibitions are held under the auspices or sanction of the Young Men's Christian Association, and the Central Athletic Union or any other properly organized or duly recognized amateur athletic association or under the supervision of the managers of universities, schools, colleges, gymnasiums or public playgrounds, or any organization of persons who were engaged in the military or naval service of the United States during the years 1861, 1862, 1863, 1864, 1865, 1898, 1899, 1900, 1901, 1902, 1914, 1915, 1916, 1917, 1918 or 1919 and who were honorably discharged therefrom, the license fee and permit fee necessary under this Act shall not be required of such organization; such matches and exhibitions shall, however, be subject to all the other provisions of this Act, and the rules and regulations of this commission.

Sec. 11. The commission shall appoint official representatives designated as "inspectors" each of whom shall receive from the commission a card, authorizing him to act as such "inspector" wherever the commission may designate him to act. The commission may, and at least one inspector shall be present at all exhibitions and matches and see that the rules are strictly observed, and an in-

6 spector shall be present at the counting up of the gross receipts, and shall immediately
 7 mail to the commission the official box office statement received by him
 8 from the officers of the club.

Sec. 12. It shall be unlawful for any club, organization, corporation or
 2 association, receiving a license hereunder to sell or cause to be sold or issued
 3 more tickets or invitations purporting to admit to any such match or exhibition
 4 or otherwise to admit to the same, more persons than are admissible according
 5 to the authorized capacity of the building, or part thereof, actually used there
 6 for.

Sec. 13. No license shall hereunder shall have, directly or indirectly, an
 2 financial interest in a boxer or contestant competing on premises owned or
 3 leased by the licensee or in which the licensee is otherwise interested. No con
 4 testant in any match or exhibition under this Act shall be paid for services be
 5 fore the same are rendered, and should it be determined by the referee and the
 6 commission or its duly authorized representatives that a contestant did not give
 7 an honest exhibition of his skill, his services shall not be remunerated, provided
 8 however, that said contestant shall be given an opportunity to be heard by the
 9 commission before ordering the withholding of compensation for his services.

Sec. 14. At all boxing or sparring matches or exhibitions held hereunder
 2 there shall be in attendance, a duly licensed physician whose duty it shall be to
 3 observe the physical condition of the boxers and advise the referee thereto. No
 4 boxer shall be permitted to enter the ring unless, not more than three hours be
 5 fore, a physician licensed under this Act shall certify in writing that the boxer is
 6 physically fit to engage in the proposed contest. The physician's fee as fixed by
 7 the commission shall be paid by the licensee conducting the match or exhibition.

Sec. 15. All buildings or structures used, or intended to be used, for the
 2 purpose of this Act shall be properly ventilated and provided with fire exit

and fire escapes, if there need be, and in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city, town or village where situated.

Sec. 16. No smoking will be allowed in the room, hall, place or auditorium where any boxing or sparring matches or exhibitions are to take place during the day of the contest or exhibition. The licensee hereunder will be held responsible for the enforcement of this provision.

Sec. 17. There shall be no betting, wagering or gambling upon the outcome of any contest or any portion thereof or duration thereof, and failure on the part of any person or persons to enforce the provisions of this Act shall be *prima facie* and sufficient cause for the cancellation of any and all licenses. Whoever bets or wagers or sells pools on any boxing or sparring match or exhibition shall be guilty of a misdemeanor and shall be punished by a fine of not less than fifty dollars (\$50.00) or by imprisonment for not less than three months, or by both such fine and imprisonment.

Sec. 18. No boxing or sparring match or exhibition shall be held on Sunday.

Sec. 19. No intoxicants shall be given away, sold or offered for sale in any building or part thereof, in which boxing or sparring exhibitions are being conducted.

Sec. 20. No decision shall be rendered by the referee in any contest held under the provisions of this act except that a decision may be given in an amateur tournament pursuant to the authority and jurisdiction of the Amateur Athletic Union of the United States.

Sec. 21. No contest shall be allowed in which the difference in weight of the respective contestants shall exceed eighteen pounds. This provision shall not apply to boxers in the heavy and lightweight classes.

Sec. 22. No boxing or sparring exhibition shall be of more than fifteen
 2 rounds duration and no one round of such exhibition shall be permitted to
 3 extend for a longer period than three minutes. There shall be one minute inter-
 4 mission between each round.

Sec. 23. No contestant shall in any boxing or sparring exhibition wear or
 2 be permitted to wear, gloves weighing less than five ounces for contestants under
 3 one hundred and forty pounds, and six ounces for contestants over one hundred
 4 and forty pounds.

Sec. 24. No contestant under the age of eighteen years shall be permitted
 2 to participate in any such boxing or sparring match, except where such boxing
 3 or sparring exhibition or contest is held or given as provided for in Section 10
 4 hereof.

Sec. 24. Contestants shall break clean, and must not hold and hit. Butting
 2 with the head or shoulder, wrestling or illegal use of elbows shall not be allowed.
 3 There shall be no unsportsmanlike conduct on the part of the contestants. This
 4 shall include the use of abusive or insulting language.

Sec. 26. No person under the age of eighteen years shall be permitted to
 2 attend a boxing or sparring exhibition, unless accompanied by his parent or
 3 guardian.

Sec. 28. All contestants shall be required to register with the secretary of
 2 the commission and in all applications for registration shall appear a recital
 3 of the following facts, to-wit: The age, the family and given name; the name
 4 under which the contestant competes; place of birth; place and date of last
 5 competition, together with the name of opponent and length of bout and result
 6 of same. Upon receipt of this information, accompanied with a registration fee
 7 of five dollars, a registration card signed by the State Athletic Commission
 8 shall be issued to such applicant: *Provided*, that no registration fee shall be

required of contestants in what is commonly known as preliminaries: *Provided*, no person or persons without such card of registration will be allowed to compete in any boxing or sparring match, or exhibition held under the provisions of this Act.

Sec. 29. The commission is authorized to grant licenses upon the application and the payment of a fee of ten dollars per annum to competent referees, who shall be bona fide residents; of the State for one year, and who shall give a bond to the State of Illinois in the sum of \$2,000.00, with good and sufficient sureties, to be approved by the commission for the faithful performance of duties of such referee and may revoke any license so granted to any such referee upon such cause as the commission shall deem sufficient. The referee must stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed.

Sec. 30. All corporations, physicians, referees, judges, timekeepers, professional boxers, their managers, trainers and seconds, shall be licensed by the said commission, and no such corporation or person shall be permitted to participate, either directly or indirectly, in any such boxing or sparring match or exhibition, or the holding thereof, unless such corporation or persons shall have first procured a license from the said commission.

Sec. 31. Whenever any club, corporation or association shall fail to make a report of any contest at the time prescribed, or whenever such report is unsatisfactory to the commission, the secretary may examine or cause to be examined, the books and records of such club, corporation or association, and subpoena and examine under oath its officers and other person or persons for witnesses for the purpose of determining the total amount of its gross receipts for any contest and the amount of taxes due, which tax he may, and upon as a result of such examination, fix and determine. In case of a default in the payment of any of the taxes so adjudged to be due, together with the expenses incurred

10 with making such examination, for a period of twenty days after notice to such
11 delinquent club, corporation or association of the amount, such delinquent club,
12 corporation or association, shall *ipso facto* forfeit its license and shall be there-
13 by disqualified from receiving any such license, or the renewal of its license, and
14 it shall in addition forfeit to the People of the State of Illinois the sum of one
15 thousand dollars (\$1,000) which may be recovered by the Attorney General in
16 the name of the people in the State of Illinois, in the same manner as other
17 penalties are by law recovered.

Sec. 32. Any club, or organization conductor, holding, giving or partici-
2 pating in any sham or fake boxing or sparring match shall forfeit the license
3 granted hereunder in accordance with the provisions of this section, which
4 thereupon be by the commission cancelled and declared void: *Providing*, that
5 however, that any such club, organization or person, shall be given an oppor-
6 tunity to be heard by the commission before declaring such license cancelled and
7 void. Entitled to receive another such or any license pursuant to the provi-
8 sions of this section; nor shall any such license be issued to any club, or organi-
9 zation which has among its members any member who belonged to a club or
10 organization which had its license revoked.

Sec. 33. Any persons or person who shall conduct, hold, give or partici-
2 pate in any sham, fake boxing or sparring match shall be guilty of a misdemeanor
3 and upon conviction thereof shall be punished by a fine not less than one thou-
4 sand dollars, nor more than five thousand dollars, or by imprisonment for a
5 period of not less than one year, nor more than five years, or both fine and
6 imprisonment.

Sec. 34. The provisions of Sections 235 and 236 of an Act entitled, "An
2 Act to revise the law in the relation to criminal jurisprudence," approved
3 March 27, 1874, in force July 1, 1874, shall not apply to any athletic boxing, or
4 to any boxing or sparring match conducted, held or given by any club, corpora-

5 tion or association duly licensed in accordance with the provisions of this Act,
6 or held or given under the supervision of the managers of public playgrounds,
7 gymnasiums, or universities as provided for in Section 10 hereof.

Sec. 35. No license shall be issued by the commission to any club, corpora-
2 tion or association to conduct boxing or sparring exhibitions as herein provided
3 for in any city unless such city shall have consented by ordinance or resolu-
4 tions by its City Council to the conducting of boxing or sparring exhibitions in
5 such city.

Sec. 36. Nothing in this Act shall in any way be so construed as to give to
2 any one person, club, corporation or association, the right to hold or give boxing
3 or sparring matches or exhibitions in more than one city or in more than one
4 location in any city without any written authority and consent of the com-
5 mission.

Sec. 37. Any person who violates any of the provisions of this Act for
2 which a penalty is not herein expressly prescribed shall be guilty of a misde-
3 meanor and upon conviction thereof shall be punished by a fine not less than
4 twenty-five dollars nor more than one hundred dollars or by imprisonment not
5 less than ninety days in the County Jail.



- 1 Introduced by Mr. Weiss, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 1 of Article IX of an Act entitled, "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, as subsequently amended, be and the same is hereby amended to read as follows:

Sec. 1. Previous to the commencement of any trial before a justice of the peace, or police magistrate, either party, or his agent or attorney, may make oath that it is the belief of such deponent that the plaintiff or defendant, as the case may be, cannot have an impartial trial before such justice, or police magistrate, whereupon it shall be the duty of the justice or police magistrate, immediately to transmit all the papers and documents belonging to the action to

7 the nearest justice of the peace or *police magistrate* in the same county, who is
8 not of kin to either party, sick, absent from town, or interested in the event of
9 the action, as counsel or otherwise, who shall proceed as if the action had been
10 instituted before him. The distance as contemplated in this section, shall mean
11 to be by the nearest traveled route.

Sec. 2. Whereas, an emergency exists, therefore this Act shall take effect
2 and be in force from and after its passage.

AMENDMENTS TO

52d G. A.

HOUSE BILL No. 380

1921



1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend House Bill No. 380 by striking out in the title the figure "IX" and by

2 inserting in lieu thereof the figure "IV."

AMENDMENT NO. 2

Amend House Bill No. 380 by inserting in Section 1, line 2, after the word

2 "That" the following words and figures "Section 1 of Article IV of"



- 1 Introduced by Mr. West, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 43 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended, and to add Sections 36a and 47a thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 43 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended, is amended, and Sections 36a and 47a are added thereto, the amended and added sections to read as follows:

Sec. 43. Every person having resided in this State one year, in the county ninety days, and in the precinct thirty days next preceding any primary therein, who was an elector in this State on the first day of April in the year of our Lord 1848, or obtained a certificate of naturalization before any court of record in this State prior to the first day of January, in the year of our Lord 1870, or who shall be a citizen of the United States above the age of twenty-one years, shall be entitled to vote at such primary.

8 The following regulations shall be applicable to primaries:

9 No person shall be entitled to vote at a primary:

10 (a) Unless he declares his party affiliations as required by this Act;

11 (b) Who shall have signed the petition for nomination of a candidate
12 any party with which he does not affiliate, when such candidate is to be vote
13 for at the primary;

14 (c) Who shall have signed the nominating papers of any independent can
15 didate for any office for which office candidates for nomination are to be vote
16 for at such primary; or

17 (d) If he shall have voted at a primary held under this Act of anothe
18 political party within a period of two years next preceding such primary: *Pro*
19 *vided*, participation by a primary elector in a primary of a political party which
20 under the provisions of Section 2 of this Act, is a political party within a cit
21 only and entitled hereunder to make nominations of candidates for city office
22 only, and for no other office or offices, shall not disqualify such primary elect
23 from participating in other primaries of his party: *And, provided*, that n
24 qualified voter shall be precluded from participating in the primary of an
25 purely city, village or town political party under the provisions of Section 2 o
26 this Act, by reason of such voter having voted within two years at the primar
27 of another political party.

28 In cities having a Board of Election Commissioners, the following additiona
29 regulations shall be applicable:

30 In such cities only voters, registered as herein provided, shall be entitled t
31 vote at such primary. The registration books prepared for and used at the elec
32 tion then next preceding shall be used for the primary, and any person therei
33 registered shall be entitled to vote at the primary unless he shall have remove
34 from the election precinct or become otherwise disqualified. In any such cit
35 having a population of less than 200,000, any person whose name does no
36 appear on the registry books who is, or shall, at or before the primary, becom
37 a primary elector of the precinct in which he desires to vote, shall be entitled t

38 vote at such primary by filing, or causing to be filed with the Board of Election
39 Commissioners, twenty days prior to a primary, an affidavit, or affirmation, spe-
40 cifying the facts showing that on the date of such primary he will be a legally
41 qualified primary elector in the precinct in which he desires to vote.

42 Such affidavit, or affirmation for registration, shall state the name of the
43 applicant, the place and date of his nativity, the term of his residence at his then
44 present address, in the precinct, county, State and United States, the fact of his
45 naturalization, if the applicant is a naturalized citizen, specifying the court, if
46 known, or if not known, the city in which the court was held where such citizen
47 was naturalized, and the residence when last registered, if the applicant was
48 previously registered. It shall be the duty of the Board of Election Commis-
49 sioners to prepare proper forms of such affidavit, or affirmation.

50 Upon the filing of such affidavit or affirmation, the Board of Election Com-
51 missioners shall place the name of such primary elector in the original registra-
52 tion books for the proper precinct, specifying the precinct from which he is
53 transferred, if previously registered in another precinct, and shall also make a
54 minute opposite his name in the original registration books of the precinct from
55 which he removed, showing the precinct to which his name is transferred, or, as
56 the case may be, shall add the name of such primary elector to the original
57 registration books for the proper precinct and the reason of the registration
58 thereof.

59 At least five days prior to the date of the primary, the Board of Election
60 Commissioners shall cause to be posted at each polling place in each precinct,
61 in a book substantially in a form now used for "Verification lists," under the
62 general election laws of this State, the name and address of each primary elector
63 who has been registered for the primary by having filed an affidavit, or affirma-
64 tion, as above set forth.

65 In any such city having a population of 200,000 or more, and in any incor-
66 porated town, under the jurisdiction of such Board of Election Commissioners
67 the said registration books shall be revised three weeks preceding such prima-

68 ries under the direction of said Board of Election Commissioners in the same
 69 manner as is now provided by law for intermediate registration in cities having
 70 Boards of Election Commissioners, *provided*, that when an intermediate regis-
 71 tration and revision is now provided for by law to be held within thirty days
 72 prior to such primary election then such intermediate registration and revision
 73 shall be the registration and revision for such primary election.

74 Any primary elector of a precinct may, on the eleventh and twelfth days
 75 immediately preceding the primary, file with the Board of Election Commis-
 76 sioners an application, signed and sworn to by him, requesting the name of a
 77 person registered on the registration books as herein provided, shall be erased
 78 therefrom, for the reason that such person so registered is not, or will not on or
 79 before the day of the primary, be a legal primary elector of the precinct, which
 80 application shall be in substance, in the words and figures following:

81 "I,, do hereby solemnly swear (or affirm)
 82 that I am informed and believe that.....
 83 is not a qualified voter in the.....precinct of the.....
 84 ward of the city (village or town) of.....and that
 85 said.....will not be a qualified voter of such precinct and
 86 ward on the.....day of....., A. D.,.....,
 87 and hence ask that his name be erased from the registers of such precinct."

88 Notice of such application with a demand to appear and show cause why
 89 such name should not be erased, shall thereupon be given to such person by the
 90 Board of Election Commissioners. Such notice shall be served upon such person
 91 personally, or left at the place of residence named in such registration books, and
 92 a copy thereof shall be sent by mail, postage prepaid, at least two days before
 93 the day fixed, to show cause, addressed to the person whose right to vote is chal-
 94 lenged, at the address given in such registration books. In case personal service
 95 cannot be had, the return of the Board of Election Commissioners shall so state
 96 and the reason therefor.

On Monday, Tuesday and Wednesday next preceding the primary, the Board of Election Commissioners shall sit to hear such application by wards and precincts in the numerical order. At the request of either party, subpoenas shall be issued, and witnesses may be sworn and heard upon such hearing. Each person appearing in response to an application to erase a name shall subscribe and swear to an answer in the presence of a member of the Board of Election Commissioners, substantially in the following form:

"I,, do solemnly swear that I am a citizen of the United States; that I have resided in the State of Illinois since the..... day of....., A. D....., and in the county of....., said State, since the.....day of....., A. D....., and in the.....precinct of the.....ward, in the city of....., said county and State, since the.....day of....., A. D.....; and that I am.....years of age; that I am the identical person registered in said precinct for the primary under the name I subscribe hereto."

Such answer shall be filed with the Board of Election Commissioners.

The decision on each application shall be announced at once after hearing, and where such application is allowed, such name shall be erased forthwith.

The county court of the county in which such city is situated shall on Friday and Saturday of the week prior to the week in which such primary is to be held, especially sit to hear such application as may be made to it by persons whose names have been stricken from the registry list as above provided. Such application shall be sworn to and shall state that the Board of Election Commissioners has stricken such name from the registry list. Such application shall be heard summarily and evidence may be introduced for or against such application. Each case shall be decided at once on hearing, and the clerk of the court shall make a minute of the disposition of each application. A copy of such minute shall at once be given to such Board of Election Commissioners, and, when such minute indicates that the name of the applicant shall be restored to the registry, the Board of Election Commissioners shall forthwith cause such

127 name to be placed upon the appropriate register, and indicate that it was entered
128 by order of court.

129 In case such county court shall refuse such application, an order shall be
130 entered accordingly on the Monday following the session of the court held for
131 the purpose aforesaid, and any person desiring to appeal from the said order
132 may appeal to the Supreme Court of the State, if the application be made
133 therefor within five days after the entry of said court, and such appeal shall be
134 allowed on the giving of an appeal bond in the penalty of \$250.00, conditioned to
135 pay the expenses of such appeal. The time for filing such appeal bond and
136 certificate of evidence shall be fixed by the court, and upon presentation to the
137 court of a certificate containing the evidence heard at such hearing, within the
138 time fixed by the court, the court shall sign the same, and thereupon the same
139 shall become part of the record in said cause.

140 The original registration books, revised as herein provided, shall constitute
141 the primary registration.

Sec. 36a. *Ballots for female electors, in each precinct or district, for each*
2 *political party, shall be the same as ballots for male electors of the same polit-*
3 *ical party therein.*

Sec. 47a. *Ballots cast by female electors shall be placed in the same ballot*
2 *boxes in which ballots cast by male electors are placed.*



- 1 Introduced by Mr. West, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 52 and 55 of "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Sections 52 and 55 of "An Act in regard
3 to elections, and to provide for filling vacancies in elective offices," approved
4 April 3, 1872, in force July 1, 1872, as amended, are amended to read as follows:

Sec. 52. The manner of voting shall be by ballot. The ballot shall be
2 printed or written, or partly printed and partly written, upon plain paper, with
3 the name of each candidate voted for, and the title of the offices. When the
4 ballot is printed, the same shall be upon plain paper, in plain type, in straight
5 lines, with a blank space below each name, of a width not less than equal to the
6 width of the line in which the name is printed. *Ballots for female electors in*
7 *each precinct or district shall be the same as for male electors therein.*

Sec. 55. The ballot shall be folded by the voter and delivered to one of the
2 judges of the election; and if the judges be satisfied that the person offering
3 the vote is a legal voter, the clerks of election shall enter the name of the voter,
4 and his number, upon the proper heading in the poll books, and the judges shall
5 indorse on the back of the ticket offered the number corresponding with the num-
6 ber of the voter on the poll books, and shall immediately put the ticket into the
7 ballot box. *Ballots cast by female voters shall be placed in the same ballot boxes*
8 *in which ballots cast by male voters are placed.*



- 1 Introduced by Mr. West, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to add Section 9a to "An Act to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of senatorial committeemen," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 9a is added to "An Act to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of senatorial committeemen," approved March 9, 1910, in force July 1, 1910, as amended, to read as follows:*

Sec. 9a. *Ballots for female electors in each precinct or district for each political party shall be the same as ballots for male electors of the same political party therein. Ballots cast by female electors shall be placed in the same ballot boxes in which ballots cast by male electors are placed.*



Introduced by Mr. Young, March 15, 1921.

Read by title, ordered printed and referred to Committee on Revenue.

A BILL

for an Act to amend Section 1 of Article VIII of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of Article VIII of "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 1. The city council in cities and boards of trustees in villages may levy and collect taxes for corporate purposes in the manner following:

The city council or board of trustees, as the case may be, shall, annually, on or before the third (3rd) Tuesday in September in each year, ascertain the total amount of appropriations for all corporate purposes legally made and to be collected from the tax levy of that fiscal year; and, by an ordinance specifying in detail the purposes for which such appropriations are made and the sum or amount appropriated for each purpose respectively, shall levy the amount so

9 ascertained upon all the property subject to taxation within the city or village
 10 as the same is assessed and equalized for State and county purposes for the
 11 current year. A certified copy of such ordinance shall be filed with the county
 12 clerk of the proper county, whose duty it shall be to ascertain the rate per cent
 13 which, upon the total valuation of all property subject to taxation within the
 14 city or village as the same is assessed and equalized for State and county pur-
 15 poses, will produce a net amount of not less than the amount so directed to be
 16 levied, and it shall be the duty of the county clerk to extend such tax in a sepa-
 17 rate column upon the book or books of the collector or collectors of State and
 18 county taxes within such city or village. And where the corporate limits of any
 19 city or village shall lie partly in two or more counties, the city council or
 20 board of trustees shall ascertain the total amount of all taxable property lying
 21 within the corporate limits of said city or village in each county as the same
 22 is assessed and equalized for State and county purposes for the current year
 23 and certify the amount of taxable property in each county within said city or
 24 village, under the seal of said city or village, to the county clerk of the county
 25 where the seat of government of such city or village is situated, whose duty it
 26 shall be to ascertain the rate per cent which, upon the total valuation of all
 27 property subject to taxation within the city or village, ascertained as aforesaid,
 28 will produce a net amount not less than the amount so directed to be levied; and
 29 said clerk shall, as soon as said rate per cent of taxation is ascertained, certify
 30 under his hand and seal of office to the county clerk of any other county wherein
 31 a portion of said city or village is situate, such rate per cent and it shall be the
 32 duty of such county clerk to whom such rate per cent is certified to extend such
 33 tax in a separate column upon the book or books of the collector or collectors
 34 of the State and county taxes for such county against all property in the county
 35 within the limits of said city or village: *Provided*, the aggregate amount of
 36 taxes so levied for any one year, exclusive of the amount levied for the pay-
 37 ment of bonded indebtedness or interest thereon and exclusive of taxes levied
 38 for the purposes of pension funds, public library and municipal tuberculosis

39 sanitarium, shall not exceed the rate of one and forty-three and one-third one-
40 hundredths ($1.43 \frac{1}{3}$) per centum from the taking effect of this Act to and in-
41 cluding the year 1921 and thereafter not to exceed eight-tenths of one per
42 centum (.8%) in cities and villages of 150,000 or more population according to
43 the last national or State census, and the aggregate amount of taxes so levied
44 for any one year, exclusive of the amount levied for the payment of bonded in-
45 debtedness or interest thereon and exclusive of taxes authorized by law for
46 specific purposes shall not exceed the rate of one and one-third ($1 \frac{1}{3}$) per
47 centum from the taking effect of this Act to and including the year 1924 and
48 thereafter eight-tenths of one per centm (.8%) in cities and villages of less than
49 150,000 population according to the last national or State census, upon the aggre-
50 gate valuation of all property within such city or village subject to taxation
51 therein, as the same was equalized for State and county taxes for the current
52 year: *And, provided, further,* that nothing herein contained shall be held to
53 repeal or modify the limitations contained in an Act entitled, "An Act concern-
54 ing the levy and extension of taxes," approved May 9, 1901, in force July 1,
55 1901, as subsequently amended. The city council, board of trustees, or mayor
56 and commissioners, as the case may be, of any city or village, having a popula-
57 tion of less than 20,000 shall have the power, for the purpose of oiling the
58 streets or public highways within the corporate limits of such city or village,
59 to direct the payment of the costs thereof out of any moneys in the city or vil-
60 lage treasury not otherwise appropriated.



- 1 Introduced by Mr. Marinier, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act to secure greater safety and comfort for passengers and employees on interurban and suburban railways.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Every railroad corporation or company
3 operating an interurban or suburban railroad for the carriage of passengers
4 for hire, between villages or cities in this State, except street railway compa-
5 nies, the greater part of whose line is within the limits of an incorporated city
6 or village, shall furnish each car used for the transportation of passengers with
7 one woodman's axe of not less than three pounds weight, one hand saw of not
8 less than twenty-four inch cut, one sledge hammer, and two leather buckets;
9 said articles to be kept in good repair, ready for instant use and in some con-
0 venient place in such car, easy of access in case of collision or other accident.
1 Each such car shall also be furnished with a water tank in which shall be
2 kept and maintained a sufficient supply of wholesome drinking water, and an

13 individual drinking cup container in which shall be kept a reasonable supply
14 of individual paper or other kind of drinking cup.

15 It shall also be the duty of such railroad company or corporation to pro-
16 vide, maintain and keep in proper condition in each such car a water closet with
17 proper conveniences for the use of passengers and employees: *Provided, how-*
18 *ever,* that such closet shall not be allowed to be used or operated while said car
19 is within the corporate limits of any city or village.

Sec. 2. If any railroad corporation, or any of its agents, servants or em-
2 ployees, shall violate any provision of this Act, such corporation agent, ser-
3 vant or employee shall, severally, be liable to a fine of not less than ten dollars
4 (\$10.00) nor more than two hundred dollars (\$200.00), to be recovered, in an
5 action of debt in the name of the people of the State of Illinois for the use of
6 any person aggrieved before any court of competent jurisdiction.



- 1 Introduced by Mr. Marinier, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act to prohibit the operation of one man street cars.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* It shall be unlawful for any person, firm
3 or corporation controlling and operating a street railway to operate upon any
4 street railway tracks or system, any car for the carriage and transportation of
5 passengers unless said car shall be manned and operated by a motorman or
6 driver and a conductor.

Sec. 2. Any person, firm or corporation violating the provisions of this
2 Act, shall upon conviction, be fined in any sum not less than twenty-five dollars
3 (\$25.00) and not more than one hundred dollars' (\$100.00) for each day such vio-
4 lation occurs.



- 1 Introduced by Mr. Epstein, March 15, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to add Section 6a to Part Four of Article XII of "An Act to provide for the incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 6a is added to Part 4 of Article XII of "An Act to provide for the incorporation of Cities and Villages," approved April 10, 1872, in force July 1, 1872, as amended, to read as follows:

Sec. 6a. In case any candidate at any general or special election for alderman desires to contest the results of such election held under this Act, in order to establish a right to have his name appear upon the ballot in a supplementary election, such candidate may file with the clerk of the circuit court a petition in writing setting forth the grounds of contest, which petition shall be verified by the affidavit of the petitioner or other person and shall be filed within five days after the completion of the canvass of the returns. The contestant shall also file with the canvassing board, which canvasses the returns of such general or special election, a notice of the pendency of the contest.

10 *Jurisdiction is hereby vested in the circuit court or in the Judge thereof*
11 *in vacation, to hear and determine such contest. When a petition for contest is*
12 *filed in the office of the clerk of the court, said petition shall forthwith be pre-*
13 *sented to the Judge thereof, who shall note thereon the date of presentation,*
14 *and also note thereon the day when he will hear the same (which shall not be*
15 *more than five days thereafter) and shall order issuance of summons to each*
16 *defendant named in the petition.*

17 *Summons shall forthwith issue to each defendant named in the petition*
18 *and shall be served in the same manner as is provided in cases of chancery.*
19 *The case may be heard and determined by the circuit court in term time, or by*
20 *the Judge thereof in vacation, at any time not less than three days after ser-*
21 *vice of process, and shall have preference in the order of hearing to all other*
22 *cases. The petitioner shall give security for all costs.*

23 *If, in the opinion of the court, the grounds for contest alleged are insuffi-*
24 *cient in law, the petition shall be dismissed. If the grounds alleged are suffi-*
25 *cient in law, the court shall proceed in a summary manner and may hear evi-*
26 *dence, examine the returns, recount the ballots and make such orders and enter*
27 *such judgment as justice may require. The court shall ascertain and declare*
28 *by a decree as in chancery to be entered of record, the result of such election*
29 *in the territorial area for which the contest is made. The judgment of the court*
30 *shall be final. A certified copy of said decree shall forthwith be made by the*
31 *clerk of the court and transmitted to the board canvassing the returns for such*
32 *office. The canvassing board shall correct the returns in accordance with said*
33 *decree.*



1 Introduced by Mr. Holaday, March 15, 1921.

2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend "An Act to promote the public health by protecting certain employees in this State from dangers of occupational diseases and providing for the enforcement thereof. Approved May 26, 1911, and in force July 1, 1911."

SUB-SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 15 of "An Act to promote the public health by protecting certain employees in this State from the dangers of occupational diseases and providing for the enforcement thereof, approved May 26, 1911, and in force July 1, 1911" be, and the same is, hereby repealed.

Sub-Sec. 2. In lieu and in place of such Section 15 repealed by sub-Sec. 1 hereof, this law shall be inserted and shall be known as "New Section 15."

Sub-Sec. 3. **DISABLEMENT AN ACCIDENT.]** The disablement of an employee resulting from an occupational disease coming within this Act shall be treated as the happening of an accidental injury within the terms and meaning of the Workman's Compensation Act.

Sub-Sec. 4. DEFINITION.] The term disablement means the state of being
 2 disabled from earning full wages at the work at which the employee was last
 3 employed by the employer from whom he claims compensation.

Sub-Sec. 5. EMPLOYEE'S RIGHT TO RECOVER COMPENSATION.] If any employee
 2 is disabled or dies and his disability or death is caused by a disease coming within
 3 this Act, which disease arises out and in the course of his employment, he or his
 4 dependents shall be entitled to compensation for his death or for the duration of
 5 his disability in accordance with the provisions of the Workman's Compensation
 6 Act.

Sub-Sec. 6. LIMITATION OF RIGHT TO RECOVER DAMAGES.] No common law or
 2 statutory right to recover damages for injury or death sustained by an employee
 3 from an occupational disease other than the compensation provided in the
 4 Workman's Compensation Act shall be available to any employee covered by the
 5 provisions of this Act, to anyone wholly or partially dependent upon him, to his
 6 legal representatives of his estate, or to anyone otherwise entitled to recover damages
 7 for such injury.



- 1 Introduced by Committee on Education, March 16, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act entitled, "An Act to legalize the organization of certain high school districts."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all cases where a majority of the
3 inhabitants of any contiguous territory, voting on the proposition, have voted
4 at an election called for the purpose by the county superintendent of schools,
5 in favor of the organization of such territory into a community high school dis-
6 trict, and where, at a subsequent election similarly called and held, a board of
7 education has been chosen for such district, such territory is hereby declared
8 legally and validly organized and established as a high school district, and a
9 valid and existing school district and body politic and corporate of this State
0 for the purpose of establishing and maintaining a high school. The board of
1 education acting for such district is hereby declared to be the duly constituted
2 authority thereof, and each such board shall hereafter consist of five members,
3 and shall be elected and organized in the same manner and have the same
4 powers and discharge the duties of boards of education of school districts as

15 provided by Sections 86, 126 and 127 of an Act entitled "An Act to establish
16 and maintain a system of free schools," approved and in force June 12, 1909,
17 as said sections now exist or may from time to time be amended or supple-
18 mented.

Sec. 2. No irregularity, defect or omission whatsoever, in the time or man-
2 ner of calling, holding or conducting any such elections or in the notice thereof,
3 ballots used therein, or returns thereof, shall be held to invalidate any such
4 elections.

Sec. 3. All acts and proceedings hereofore done, had or performed, by
2 each such district and the persons from time to time elected and acting as the
3 board of education thereof, such as are authorized to be done, had or performed
4 by school districts or boards of education thereof by the general school laws of
5 the State, are hereby declared to be legal and valid in all respects.

Sec. 4. Whenever the board of education of any such district has levied
2 taxes and a certificate of levy has been filed and certified to the county clerk
3 or county clerks of the county or counties in which such school district is situated,
4 such tax levy is hereby declared to be legal and valid notwithstanding such levy
5 shall not have been made, filed or certified in the manner or within the time
6 prescribed by law.

Sec. 5. Whenever there are two community high school districts, or a town-
2 ship high school district and a community high school district, which overlap in
3 territory, that district which shall have first established and now continues to
4 conduct a high school, is hereby validated and confirmed.

Sec. 6. All pending actions attacking the organization of districts coming
2 under the provisions of this Act shall abate.

Sec. 7. The invalidity of any section of this Act shall not affect the remain-
2 der thereof.

Sec. 8. Whereas, an emergency exists, therefore this Act shall be in full
2 force and effect from and after its passage and approval.



- 1 Introduced by Committee on Education, March 16, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act entitled, "An Act to legalize the organization of high school districts having within the boundaries thereof all or part of a school district established by special legislative Acts."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all cases where a majority of the
3 inhabitants of any contiguous territory, having therein all or part of a school
4 district established by special legislative Act, voting on the proposition, have
5 voted at an election called by the County Superintendent of Schools for the pur-
6 pose, in favor of the organization of such territory into a community high
7 school district, and where at a subsequent election similarly called and held, a
8 board of education has been chosen for such district, such territory is hereby
9 declared legally and validly organized and established as a community high
10 school district, and a valid and existing school district and body politic and cor-
11 porate of this State for the purpose of establishing and maintaining a high
12 school. The board of education acting for each such district is hereby declared
13 to be the duly constituted authority thereof, and each such board shall here-

14 after consist of five members and shall be elected and organized in the same
15 manner and have the powers and discharge the duties of boards of educa-
16 tion of school districts as provided by Sections 86, 126 and 127 of an Act entitled,
17 "An Act to establish and maintain a system of free schools," approved and in
18 force June 12, 1909, as said sections now exist or may from time to time be
19 amended or supplemented.

Sec. 2. No irregularity, defect or omission whatsoever, in the time or man-
2 ner of calling, holding or conducting any such elections or in the notice thereof
3 ballots used therein, or returns thereof, shall be held to invalidate any such
4 elections.

Sec. 3. All Acts and proceedings heretofore done, had or performed by
2 each such district and the persons from time to time elected and acting as the
3 board of education thereof, such as are authorized to be done, had or per-
4 formed by school districts or boards of education thereof by the general schoo-
5 laws of the State, are hereby declared to be legal and valid in all respects.

Sec. 4. Whenever the board of education of any such district has levied
2 taxes and a certificate of levy has been filed and certified to the county clerk or
3 county clerks of the county or counties in which such school district is situated
4 such tax levy is hereby declared to be legal and valid notwithstanding such levy
5 shall not have been made, filed or certified in the manner or within the time pre-
6 scribed by law.

Sec. 5. Whenever there are two community high school districts, or a town-
2 ship high school district, and a community high school district, which overlap
3 in territory, that district which shall have first established and now continue
4 to conduct a high school, is hereby validated and confirmed.

Sec. 6. The provisions of each special legislative Act establishing a school
2 district are hereby specifically repealed in so far as such provisions are in con-

3 flict with the right of each community high school district hereby validated to
4 establish and maintain a high school, and this Act shall be construed as evi-
5 dencing a legislative intent to repeal such conflicting provisions and to legalize
6 and validate each such community high school district including within its
7 boundaries all or part of a school district established by special legislative Act.

Sec. 7. The invalidity of any section of this Act shall not affect the remain-
2 der thereof.

Sec. 8. Whereas, an emergency exists, therefore this Act shall be in full
2 force and effect from and after its passage and approval.



- 1 Introduced by Mr. J. W. Ryan, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the relief of Charles K. Williams, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of fifteen thousand dollars is
3 appropriated to Charles K. Williams, who was seriously injured while in the
4 performance of his duties as a member of Company C, 1st Infantry, Illinois Re-
5 serve Militia.

Sec. 2. The Auditor of Public Accounts is directed to draw his warrant
2 upon the State Treasurer in favor of Charles K. Williams for the sum herein
3 appropriated.



- 1 Introduced by Mr. J. W. Ryan, March 16, 1921.
2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the relief of William T. Riggs, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of ten thousand dollars is
3 appropriated to William T. Riggs, who was seriously injured while in the per-
4 formance of his duties as a member of Company C, 1st Infantry, Illinois Re-
5 serve Militia.

Sec. 2. The Auditor of Public Accounts is directed to draw his warrant
2 upon the State Treasurer in favor of William T. Riggs for the sum herein
3 appropriated.



- 1 Introduced by Mr. Berry, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and Miscel-
lany.

A BILL

For an Act regulating carbonated and still beverages and other soft drinks.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That no person, firm or corporation shall
3 manufacture, mix or bottle, sell or offer for sale any carbonated or still bever-
4 ages, soda water, fruit juices, fruitades, ciders or other soft drinks within this
5 State without having first secured a license from the Department of Agriculture,
6 as provided for in this Act.

7 Any manufacturer without the State of Illinois who desires to sell his prod-
8 ucts within the State of Illinois, either directly or through dealers, shall by him-
9 self or through his dealer secure a license as otherwise provided for in this Act,
10 before the goods shall enter the State.

Sec. 2. Any person desiring to engage in the manufacture and sale of any
2 of the beverages enumerated in Section 1 of this Act shall first make application
3 for such license to the Department of Agriculture, which application shall be

4 accompanied by a fee of \$25.00, and upon receipt of such application the Depart-
 5 ment of Agriculture shall issue a license to the applicant, which said license
 6 shall be signed by the Director of Agriculture or Superintendent of Foods and
 7 Dairies, and continue for one year from date of issuance thereof, unless revoked
 8 as otherwise herein provided. It shall be renewable annually upon the application
 9 complying with the provisions of this Act and payment of the fee of \$25.00
 10 provided that in establishments operating soda fountains and other like places
 11 where said carbonated or still beverages, soda waters, fruit juices, fruitades,
 12 ciders and other soft drinks are mixed for the immediate consumption of retail
 13 trade, the license fee shall be \$5.00, which license issued under the provisions of
 14 this Act, shall be posted in a conspicuous place where such goods are manufac-
 15 tured, mixed or sold.

Sec. 3. For the purpose of this Act, all carbonated beverages, soda waters
 2 and other soft drinks with the exception of table waters, natural or artificial
 3 mineral waters, plain, still or carbonated waters, and soft drinks known as
 4 cereal beverages, shall, in addition to flavoring materials, acidulants, coloring
 5 and other harmless ingredients not in conflict with the Food and Dairy Act in
 6 force July 1, 1917, contain a quantity of sugars, syrups or honey which will
 7 make the finished product equivalent in sweetness to the sweetness of a product
 8 containing not less than 8% of sugar as defined in the tentative standards of the
 9 Illinois Food Standard Commission promulgated by it March 1, 1913.

Sec. 4. Whenever the Director of Agriculture shall find that any of the provisions
 2 of Sections 6, 7 and 8 of this Act have been violated he shall have the power
 3 to revoke any license issued under the provisions of this Act. Any person, firm
 4 or corporation whose license has been so revoked shall discontinue the
 5 manufacture or sale of such beverages, soda waters, grape juices, ciders or other
 6 soft drinks until the provisions of this Act have been complied with and a new
 7 license issued. He may revoke such license temporarily until there is compliance
 8 with such conditions as he may prescribe or permanently for the unexpired

9 period of such license. The Director of Agriculture shall also have power to re-
10 voke the license of any person, firm or corporation convicted of violating any
11 of the other provisions of this Act.

Sec. 5. Nothing in this Act shall be construed to place a tax or a license fee
2 upon any retailer who sells goods in the original or unbroken package, nor upon
3 any dispenser who sells in any retail form, unmixed or unchanged in any way,
4 the beverages of a manufacturer who has paid his license fee. If such retailer
5 or dispenser rebottles, manipulates in any way, adds to or takes from the prod-
6 uct, he then must take out the dispenser's license.

Sec. 6. All buildings, stores, factories, or other places where carbonated or
2 still beverages, soda waters, grape juices, ciders, mineral waters or other soft
3 drinks are manufactured or bottled shall be well lighted and ventilated and shall
4 be kept at all times in a sanitary condition. All machines, bottles, jars or other
5 utensils used in the manufacture of carbonated or still beverages, soda waters,
6 mineral waters, or other soft drinks shall be kept at all times in a clean and san-
7 itary place and in a sanitary condition.

Sec. 7. All bottles used by the manufacturer of carbonated or still bever-
2 ages, soda waters, grape juices, ciders, carbonated mineral waters or any other
3 soft drinks, before filled shall be sterilized by soaking in a hot caustic solution
4 at a temperature of not less than one hundred twenty degrees Fahrenheit that
5 shall contain not less than five per cent of caustic alkali, expressed in terms of
6 sodium hydrate, for a period of not less than five minutes, then thoroughly
7 rinsed in pure water until free from alkali; or by any other suitable process that
8 will properly clean and sterilize the bottles. Corks and crowns used in corking
9 the bottles shall not be used a second time and shall be kept in secured containers
10 and in a sanitary condition.

Sec. 8. No bottle shall be used by the manufacturer of carbonated or still
2 beverages, soda waters, fruit juices, ciders, or other soft drinks in which the
3 metal or rubber part of the stopper comes in contact with the beverage. The

4 provisions of this section shall not apply to carbonated water put up in "Siph-
5 ons" which are of a construction such as to make it impossible for harmful met-
6 als to be dissolved.

Sec. 9. Any person, firm or corporation who shall do any of the acts o-
2 things prohibited, or neglect or refuse to do any of the acts or things required
3 by this Act or in any way violate any of its provisions, shall be deemed guilty
4 of a misdemeanor, and shall be punished by a fine of not more than one hundred
5 dollars, or by imprisonment in the county jail for a period of not more than
6 ninety days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 10. The Director of Agriculture shall be charged with the enforcement
2 of the provisions of this Act, and for the purpose may appoint such a number o-
3 inspectors and investigators as are necessary to enforce the same. The Directo-
4 of Agriculture shall make rules and regulations for carrying out the provision
5 of this Act.

Sec. 11. Nothing in this Act shall be construed to repeal or amend in any
2 way the Illinois Dairy and Food Act in force July 1, 1917.



- 1 Introduced by Mr. Brinkman, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Sections 82 and 83 of an Act entitled, "An Act Concerning Land Titles," approved and in force May 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 82 and 83 of an Act entitled, "An Act Concerning Land Titles," approved and in force May 1, 1897, be and the same are hereby amended so as to read as follows:

Sec. 82. The holder of any certificate of sale of registered land or any estate, or interest therein for any tax, assessment or imposition shall, within six months after the date of sale, present the same or a sworn copy thereof to the registrar, who shall thereupon enter on the register of the land a memorial thereof, stating the day of sale and the date of presentation, and shall also note upon the certificate of sale the date of presentation and the book and page of the register, where the memorial is entered. The holder of such certificate shall also within the same time mail to each of the persons who appear by the register to have any interest in the land, a notice of the registration of such

10 certificate. Unless such certificate is presented and registered, and notice given
 11 as herein provided within the time above mentioned, the land shall be forever
 12 released from the effect of such sale, and no deed shall be issued in pursuance
 13 of such certificate. When it shall appear by the affidavit of the holder of the
 14 certificate filed with the registrar that the place of residence of any person
 15 interested in the land can not upon diligent inquiry be ascertained, the require-
 16 ment of this section as to mailing notice shall not apply to such person.

Sec. 83. A tax deed of registered land, or an estate or interest therein
 2 issued in pursuance of any sale for tax or assessment made after the taking
 3 effect of this Act, shall have only the effect of an agreement for the transfer of
 4 the title upon the register, and may be filed in the registrar's office, and a
 5 transfer effected as in case of other deeds of conveyance.

6 But no certificate of title shall be issued thereon, except upon the surrender
 7 and cancellation of the outstanding certificate of title, or upon the order of court
 8 as provided in Section 88 of this Act, and no such order shall be granted except
 9 upon petition to the court ordering the sale for the tax or assessment. No such
 10 order shall be granted except after personal service of notice upon all persons
 11 in possession of the premises, and notice either by personal services or by pub-
 12 lication, as provided in proceedings in chancery, to all persons appearing upon
 13 the register to have any interest in the premises. And in case any minor heir,
 14 idiot, or insane person is interested in the premises, no such order shall be
 15 granted until the expiration of the time to redeem the premises allowed by law
 16 to such minor heir, idiot, or insane person shall have expired.

17 *In any proceeding under Sections 93 or 94 of this Act brought for the pur-*
 18 *pose of removing from a certificate of title the memorial of the filing of any tax*
 19 *deed, the burden of proof shall be upon any person claiming under such tax*
 20 *deed to prove its validity.*

AMENDMENTS TO
d G. A. HOUSE BILL NO. 394 1921



Adopted May 11, 1921.

AMENDMENT NO. 1.

Amend the title of House Bill 394 by triking out "Sections 82 and 83" from the title of the Act and by substituting "Section 82" in lieu thereof.

AMENDMENT NO. 2.

Amend House Bill No. 384, by striking out all of "Section 83."



Introduced by Mr. Thomas Curran, March 16, 1921.

Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

for an Act to amend Sections 107 and 108 of an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended by an Act approved May 24, 1907, and in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 107 and 108 of an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended by an Act approved May 24, 1907, and in force July 1, 1907, be and the same are hereby amended so as to read as follows:

Sec. 107. On the filing of any *application* the *applicant* shall pay to the clerk of the court the sum of five dollars (\$5.00), which shall be in full of all clerk's fees and charges in such proceeding on behalf of the applicant. Any defendant on entering his appearance shall pay to the clerk the sum of five dollars (\$5.00), which shall be in full of all clerk's fees on behalf of such defendant. When any number of defendants shall enter their appearance at the same time, or before default, but one fee shall be charged. *No fee shall be paid*

to the clerk of the court for the filing of any petition or appearance in any subsequent proceedings in the proceeding in which the land was registered under the provisions of Sections 70, 71, 72, 93, 94 and 96 of this Act, nor shall any fee be paid for the filing of any assent to registration of land in the name of the applicant or petitioner, cross applicant or cross petitioner.

Sec. 108. *Except as otherwise provided in this Act, the fees to be paid to the registrar shall be as follows:*

At or before the time of referring the application for initial registration, the applicant shall advance and pay to the registrar the sum of \$15.00, which shall be in full of all services of the registrar and examiners up to the granting of the certificate of title, *provided, that in cases where the value of the land sought to be registered in any application does not exceed the sum of fifteen hundred dollars (\$1,500.00) said applicant shall advance and pay to the registrar the sum of five dollars (\$5.00) in full of such services of the registrar and examiners of title.* In proper cases the court may direct the payment of such further fees by the applicant or any defendant as it may determine.

For granting certificate of title upon each application and registering the same\$ 3.00

For registering each transfer upon a folium of the register of titles, including the filing of all instruments connected therewith, the cancellation of the old certificate of title and the issue and registration of the new certificate of title..... 3.00

For entry of each memorial on a folium of the register of titles, including the filing of all instruments and papers connected therewith and endorsements upon duplicate certificates, *except as to the entry of any memorial as to any certificate of sale owned and held by any municipality or other political subdivision of the State of Illinois, filed under the provisions of Section 82 of this Act, and also except as to any tax deed owned and held by any municipality or other political subdivision*

25	<i>of the State of Illinois, filed under the provisions of Section 83 of this</i>	
26	<i>Act, for which memorials as to such certificates of sale and tax deeds</i>	
27	<i>of such municipalities or other political subdivisions of the State of</i>	
28	<i>Illinois no charge shall be made.....</i>	3.00
29	<i>For the cancellation of each memorial or charge upon a folium of the</i>	
30	<i>register of titles (including the filing of any instruments and papers</i>	
31	<i>connected therewith)</i>	2.00
32	<i>For each certificate showing condition of any folium of the register of</i>	
33	<i>titles</i>	2.00
34	<i>For each certificate of title issued on a forward order without a transfer</i>	
35	<i>of title, or for each certificate issued on order of the registered owner</i>	
36	<i>to divide the property covered by any one certificate of title into two or</i>	
37	<i>more certificates of title in the name of the same owner, or for each</i>	
38	<i>certificate of title issued on order of the registered owners to divide a</i>	
39	<i>certificate of title, showing the interests of tenants in common, into</i>	
40	<i>separate certificates for the undivided share of each tenant in common.</i>	3.00
1	<i>For any certified copy of any instrument in writing on file in his office, the</i>	
2	<i>sum of fifteen cents for every hundred words, or fraction thereof, and fifty</i>	
3	<i>cents for the certificate of the registrar of titles.</i>	
4	<i>For filing maps or plates of additions, subdivisions or otherwise (including</i>	
5	<i>the spreading of the same of record in well bound books and the issuance of</i>	
6	<i>title in accordance with the legal description of said addition, subdivision or</i>	
7	<i>otherwise) for each tract, parcel or lot contained therein, fifteen cents, and fifty</i>	
8	<i>cents for the certificate of the time of filing the same for record, and three</i>	
9	<i>dollars for the cancellation of the old certificate of title and the issuance of the</i>	
0	<i>new certificate of title.</i>	



- 1 Introduced by Mr. Thomas Curran, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Sections 2, 3, 6, 8, 9 and 10 of an Act entitled, “An Act to revise the law in relation to plats,” approved March 21, 1874, and in force July 1, 1874, as amended by an Act approved June 22, 1917, and in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That Sections 2, 3, 6, 8, 9 and 10 of an Act entitled, “An Act to revise the law in relation to plats,” approved March 21, 1874, and in force July 1, 1874, as amended by an Act approved June 22, 1917, and in force July 1, 1917, be and the same are hereby amended so as to read as follows:*

Sec. 2. The plat having been completed, shall be certified by the surveyor and acknowledged by the owner of the land, or his attorney duly authorized, in the same manner as deeds of land are required to be acknowledged. The certificate of the surveyor and of acknowledgment, together with the plat, shall be recorded in the recorder’s office of the county in which the land is situated, or if the title to the land is registered under the Land Titles Act, shall be filed

7 in the office of the registrar of titles for the county, and such acknowledgment
 8 and recording, or such acknowledgment and filing as aforesaid, shall have like
 9 effect and certified copies thereof and of such plat, or of any plat heretofore
 10 acknowledged and certified according to law, may be used in evidence to the
 11 same extent and with like effect, as in case of deeds.

Sec. 3. The acknowledgment and recording of such plat, or the acknowl
 2 edgment and the filing of the same as aforesaid, shall be held in law and in
 3 equity to be a conveyance in fee simple of such portions of the premises platte
 4 as are marked or noted on such plat as donated or granted to the public, or
 5 any person, religious society, corporation or body politic, and as a general war
 6 ranty against the donor, his heirs and representatives, to such donee or grantee
 7 for their use or for the use and purposes therein named or intended, and for no
 8 other use or purpose. And the premises intended for any street, alley, way
 9 common or other public use in any city, village or town, or addition thereto
 10 shall be held in the corporate name thereof in trust to and for the uses and
 11 purposes set forth or intended.

Sec. 6. Any such plat may be vacated by the owner of the premises, at any
 2 time before the sale of any lot therein, by a written instrument, to which a copy
 3 of such plat shall be attached, declaring the same to be vacated. Such instru
 4 ment shall be approved by the city council or village or county board (as the
 5 case may be) in like manner as plats of subdivisions. Such council or board
 6 may reject any such instrument which abridges or destroys any public right
 7 in any of its streets or alleys. Such instrument shall be executed, acknowl
 8 edged or proved, and recorded, or filed, in like manner as plats of subdivisions
 9 and being duly recorded, or filed, shall operate to destroy the force and effect
 10 of the recording of the plat so vacated, and to divest all public rights in the
 11 streets, alleys and public grounds, and all dedications laid out or described in
 12 such plat. When lots have been sold, the plat may be vacated in the manne

13 herein provided by all the owners of lots in such plat joining in the execution
14 of such writing.

Sec. 8. When any plat or part thereof is vacated the recorder *or registrar of titles* in whose office the plat is recorded *or filed as aforesaid*, shall, upon the recording of such vacation, write in plain letters across the plat or part so vacated the word "vacated," and shall also make a reference on the same to the volume and page in which the instrument of vacation is recorded.

Sec. 9. Whenever any highway, road, street, alley, public ground, toll-road, railroad or canal is laid out, located, opened, widened or extended, or the location thereof altered, it shall be the duty of the commissioners, authorities, officers, persons or corporations, public or private, laying out, locating, opening, widening, extending or altering the same, to cause a plat thereof, showing the width, courses and extent thereof, and making such reference to known and established corners or monuments that the location thereof may be ascertained, to be made, and recorded in the office of the recorder of the county in which the premises taken or used for the same, or any part thereof, are situated, *or in case of land the title to which is registered under the Land Titles Act, to be filed in the office of the registrar of titles for the county*, within six months after such highway, road, street, alley, public ground, toll-road, railroad or canal is laid out, located, opened, widened or extended, or the location thereof altered; and when any highway, road, street, alley, public ground, toll-road, railroad or canal is vacated, the order, ordinance or other declaration vacating the same shall be in like manner recorded *or filed as aforesaid*. This Act shall not be construed to alter or affect any law specifically providing for the recording *or filing* of any such plat, or to require the same to be recorded *or filed as aforesaid* sooner than is so specifically provided; except that any requirements to record *or file* such plat in any other place than is provided herein shall not excuse the parties from complying with this Act. Whoever shall refuse or neglect to comply with this section shall forfeit \$25, and the like sum for every month he shall

23 continue in such refusal or neglect after conviction therefor, to be recovered be
24 fore any justice of the peace of the county, in the name of the county, one-half
25 to the use of the county and the other half to the use of the person complaining

Sec. 10. Whenever it shall come to the knowledge of the recorder of deeds
2 or of the registrar of titles of any county that any of the provisions of this Act
3 have been violated, it shall be his duty to notify the State's attorney of the fact
4 and the State's attorney shall immediately institute suit, and prosecute the same
5 to final judgment against the person offending.



- 1 Introduced by Mr. MacNeil, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to amend Section 18 of an Act entitled, "An Act in relation to State
moneys," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 18 of an Act entitled, "An
3 Act in relation to State moneys," approved June 28, 1919, and in force July 1,
4 1919, be amended to read as follows:

Sec. 18. The State Treasurer shall make a monthly report to the Governor,
2 giving a detailed statement of the balances on deposit in the several banks, and
3 the amount paid by each such bank as interest on moneys so deposited. Such
4 statement shall contain the name of each bank, and the amount in such bank,
5 subject to draft at the close of business on the last day of the month for which
6 the report is made, and on the last day of the month next preceding, *and shall*
7 *also cause said report to be printed and well bound in pamphlet form, and shall*
8 *mail a copy thereof to each State and County officer of the State of Illinois,*
9 *all judges of the courts of Illinois and to each and every bank in the State of*
10 *Illinois, within sixty days after making said report.*



Introduced by Mr. Joyce, March 16, 1921.

Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920, be and the same is hereby amended by adding after Section 8 thereof, 8 new sections, to be known as Sections 8a, 8b, 8c, 8e, 8f, 8g, and 8h, as follows:

Sec. 8a. No person shall operate a motor vehicle upon any highway of this State until he or she first shall have applied for and obtained from the Secretary of State a license for the purpose. Such license shall expire upon the thirty-first day of December of each year or upon the sale, transfer of ownership or other disposition of the motor vehicle described in such license, and shall be renewable without further examination upon surrender of the expired license. *Provided*, that nothing in this section shall apply to any person receiving instruction in the operation of a motor vehicle when accompanied by a duly

9 licensed operator or chauffeur, nor any person licensed as a chauffeur under the
10 laws of this State.

Sec. 8b. Applications for licenses shall be made upon blanks provided by
2 the Secretary of State, and said application blanks shall be in such form and
3 contain such provisions, not inconsistent with this Act, as said Secretary of
4 State may determine. Such application shall be accompanied with a photo-
5 graph of the applicant of the size prescribed by the Secretary of State and a
6 license fee of one dollar.

Sec. 8c. Such license when issued shall contain the name, postoffice
2 address, including street address, if any, of the licensee, and his or her photo-
3 graph, with a brief description of the vehicle to be operated, including the
4 name of the maker, factory and engine numbers, style of vehicle, motive power
5 and the State registration number assigned to such vehicle. The holder of such
6 license shall endorse his or her signature on said license in a space provided for
7 that purpose immediately upon receipt of said license, which shall not be valid
8 until so endorsed. Each and every person while operating or driving a motor
9 vehicle upon the public highways of this State shall have on or about his or her
10 person such license, and when requested by a proper officer in the discharge of
11 his duties under the law, said licensee shall write his name in the presence of
12 said officer, to the end that the identity of said licensee may be determined. A
13 number shall be assigned to each of said licenses, and a proper record of all
14 applications and licenses, and all licenses issued, shall be kept by the Secretary
15 of State and shall be open to public inspection.

Sec. 8d. Before such a license is granted the applicant shall pass such an
2 examination as to his or her qualifications to operate a motor vehicle as the
3 Secretary of State shall require, and no license shall be issued until the applicant
4 has satisfactorily passed such examination, and no license shall be issued to any
5 person under eighteen years of age.

Sec. 8e. The Secretary of State shall appoint examiners and maintain offices

2 at the county seat of each county throughout the State, and cause examinations to

3 be held and licenses issued at said respective county seats.

Sec. 8f. It shall be unlawful to obtain an operator's license by misrepresen-

2 tation or to allow an operator's license to be used by any person other than the

3 one to whom it was issued, or to change the name of the licensee appearing upon

4 any such license issued by the Secretary of State.

Sec. 8g. The Secretary of State shall at the end of each calendar month print

2 and mail to the clerks and the sheriffs of all the counties and to the chiefs of

3 police of cities and towns of five thousand population and over, in this State,

4 copies of lists of licenses issued in accordance herewith, showing the name and

5 address of the licensee, and a brief description of the vehicle to be operated as

6 provided in Section 8c hereof.

Sec. 8h. The provisions of Section 8a, 8b, 8c and 8d shall not apply to any

2 operator of a motor vehicle who is a non-resident of this State, *provided*, such

3 operator has complied with any law requiring the registration of motor vehicles

4 or the licensing of operators thereof in force in the city, State, foreign country

5 or province, territory or Federal district of his residence: *Provided, further*, that

6 the provisions of this section shall be operative only to the extent that under the

7 laws of the city, State, foreign country and province, territory or Federal dis-

8 trict of his residence like exemptions and privileges are granted to operators of

9 motor vehicles duly licensed under the laws of this State.



- 1 Introduced by Mr. Krump, March 16, 1921.
2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to Amend Section 2 of an Act entitled, "An Act to authorize recorders of deeds in counties where recorders of deeds are elected to keep abstract books, to make abstracts of title, and fixing the fees and compensation therefor, and to repeal an Act therein named," approved May 14, 1903, in force July 1, 1903.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of an Act entitled, "An
3 Act to authorize recorders of deeds in counties where recorders of deeds are
4 elected to keep abstract books, to make abstracts of title, and fixing the fees and
5 compensation therefor, and to repeal an Act therein named," approved May 14,
6 1903, in force July 1, 1903, be and the same is hereby amended to read as follows:

Sec. 2. Every recorder of deeds keeping such books is hereby authorized,
2 and it shall be his duty, to make and certify under the seal of his office, for all
3 persons desiring the same, abstracts of title, *and copies thereof*, to real estate in
4 his county. *In counties of the third class he shall charge therefor such fees as*

5 may be fixed from time to time by resolution of the county board, which fees so
6 fixed by the county board shall in no event exceed the following fees:

7 For each certificate, certifying to the condition of the title as shown by such
8 abstracts, judgment and tax books, the sum of Four Dollars (\$4.00).

9 For each instrument of conveyance, incumbrance or release thereof, the sum
10 of One Dollar and Fifty Cents (\$1.50).

11 For each additional judgment or tax sale, the sum of One Dollar and Twenty-
12 five Cents (\$1.25).

13 For chancery and probate court proceedings necessary to be shown, or for
14 any legal proceedings in which an abstract or minutes of the entire case is neces-
15 sary, Three Dollars (\$3.00) per page.

16 For each certificate to a copy made by the recorder of deeds of an abstract of
17 title made by any other person, firm or corporation or by the recorder of deeds
18 or his predecessors in office, the sum of Four Dollars (\$4.00), and for each page
19 of a copy made by the recorder of deeds, the sum of Seventy-five Cents.

20 Which fees shall be accounted for by such recorder in like manner with fees
21 received by him from recording. And every such recorder shall, for his services
22 in keeping such books and making such abstracts of title in counties of the third
23 class, receive a salary of one thousand dollars per annum, to be paid only out of
24 the fees of his office actually collected, which compensation shall be in addition
25 to the salary allowed him for his duties as recorder; in counties of the second
26 class he shall receive such salary and be authorized to charge such fees as may
27 be filed by the county board.

28 In any county in which the recorder of deeds is engaged in making abstracts
29 of title, in the event of the failure of the county board to pass a resolution fixing
30 the fees to be charged in accordance herewith, or in the event of such resolution
31 failing to cover the service actually performed, the recorder of deeds shall be
32 entitled to charge such fee as he may deem reasonable for the service performed,
33 which fee shall be accounted for by such recorder in like manner with fees re-
34 ceived by him for recording.



1 Introduced by Mr. O'Brien, March 17, 1921.

2 Read by title, ordered printed and referred to Committee on Military Affairs.

A BILL

For an Act to provide a bonus to certain persons who served in the military or naval
forces of the United States in the late war with Germany,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Service Recognition Board is hereby
3 created to consist of the Governor, the Adjutant General and an honorably dis-
4 charged soldier, who served in the military forces of the United States in the
5 late war with Germany, to be appointed by the Governor.

Sec. 2. The members of this board shall serve without compensation.

Sec. 3. The Service Recognition Board shall have complete charge and con-
2 trol of the general scheme of payments authorized in this Act. It shall adopt
3 general rules, not inconsistent herewith, for the making of such payments, the
4 ascertainment and selection of proper beneficiaries and the amount to which
5 such beneficiaries are entitled, and for procedure, and may select and appoint
6 such employees as it may deem necessary, and such employees shall not be sub-

ject to the provisions of "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905, as amended.

Sec. 4. Any person who served in any branch of the military or naval forces of the United States (including Red Cross and other nurses) between April 7, 1917, and October 11, 1918, and who, at the time of entering such service was a resident of this State, shall be entitled to receive from the Soldiers' Bonus Fund of the State treasury, herein created, as a bonus, the sum of fifteen dollars (\$15.00) for each full month of service in such forces from the date of entering the same (but not from any date prior to April 7, 1917) until the date of his discharge, release or furlough, with a minimum of fifteen dollars (\$15.00) and a maximum of three hundred dollars (\$300.00).

Sec. 5. If any person entitled to a bonus under Section 4 of this Act, be deceased before receiving such payment, then the payment accruing to the deceased shall be paid to the surviving widow, child or children, mother or dependent father, in the order stated, and in case such deceased person died while in the service, the payment shall be three hundred dollars (\$300.00).

Sec. 6. All applications for bonuses under this Act must be made to the Service Recognition Board before January 1, 1924, and in accordance with its rules and regulations. Accompanying all applications for the bonus provided in this Act, the applicant shall furnish satisfactory proof that such person was a bona fide resident of the State of Illinois at the time of his induction or enlistment and a certified copy of his discharge or release papers or furlough, or he shall furnish other proof satisfactory to the Service Recognition Board that he comes within the provisions of this Act.

Sec. 7. The benefit of this Act shall not accrue to any person for time spent while taking training in any student army or navy training corps, nor to any person who, though in the service, did civilian work at civilian pay, nor to any person who was dishonorably discharged, or convicted by court martial of dis-

5 obedience of orders where such disobedience consisted of the refusal to per-
6 form military service on the ground of alleged religious or conscientious objec-
7 tions against war.

Sec. 8. No bonus shall be paid under the provisions of this Act except on
2 application received by the Service Recognition Board prior to January 1, 1924.

Sec. 9. The State of Illinois, through its officers, is hereby authorized to
2 issue and sell, and provide for the retirement of, bonds of the State of Illinois
3 to the amount of _____ for the purpose of providing funds for making
4 the payments provided for in this Act. The issuance, sale and retirement of these
5 bonds shall be under the general supervision and control of the Service Recog-
6 nition Board.

7 These bonds shall bear interest, payable annually, from the date of their
8 issue, at the rate of three and one-half per centum per annum unless financial
9 conditions make a different rate advisable, in which case the Service Recognition
10 Board may issue part or all of said bonds at any other rate of interest not ex-
11 ceeding six and one-half per centum per annum; they shall be serial bonds and
12 be dated, issued and sold from time to time in such amounts as may be neces-
13 sary to provide sufficient money to make the payments provided for in this Act.
14 Each one of these bonds shall be in the denomination of \$500.00 or some mul-
15 tiple thereof, and shall be made payable within twenty years from the date of
16 its issue. These bonds shall be signed by the Governor and attested by the
17 Secretary of State under the seal of the State and countersigned by the State
18 Treasurer and by the Auditor of Public Accounts. Interest coupons with litho-
19 graphed fac-simile signatures of such officers, may be attached to said bonds.
20 Said bonds may, at the request of owners, be registered with the Auditor of
21 Public Accounts. These bonds, until sold, shall be deposited with the State
22 Treasurer; and when sold, the proceeds of the bonds shall be paid into the State
23 treasury and kept in a separate fund which shall be known as the Soldiers'
24 Bonus Fund.

Sec. 10. For the purpose of making the payments provided for in this
 2 Act, the sum of fifty million dollars, to be derived from the sale of such bonds,
 3 is hereby appropriated to the Service Recognition Board, such money to be
 4 payable out of the Soldiers' Bonus Fund in accordance with the provisions of
 5 "An Act in relation to State Finance," approved June 10, 1919, in force July 1,
 6 1919.

Sec. 11. After all bonuses provided for in this Act have been paid, any
 2 money that is then in the Soldiers' Bonus Fund in the State treasury may be
 3 expended by the Service Recognition Board for any form of relief for veterans
 4 of the late war with Germany, or their families, that the General Assembly may
 5 specify and as it may direct, and not otherwise.

Sec. 12. Each year after this Act becomes fully operative, and until all of
 2 bonds herein provided for, have been retired there shall be included in and
 3 added to the tax levied for State purposes, a direct annual tax for such amount
 4 as shall be necessary and sufficient to pay the interest annually, as it accrues,
 5 on all bonds issued under the provisions of this Act and also to pay and dis-
 6 charge the principal of such bonds at par value, as such bonds fall due; and
 7 the amounts of such direct annual tax shall be appropriated for that specific
 8 purpose. But no such direct annual tax shall be levied for any year in which a
 9 sufficient amount of money from other sources of revenue has been appropriated
 10 and set apart to pay the interest, as it shall accrue, on said bonds for that year
 11 and also to discharge the principal of any of such bonds falling due during such
 12 year.

Sec. 13. This Act shall be submitted to the people of the State at the gen-
 2 oral election to be held on Tuesday next after the first Monday of No-
 3 vember, A. D. 1922, on a separate ballot to be in substantially the following
 4 form:

SOLDIERS' BONUS BALLOT.

5

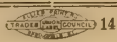
<p>Shall an Act of the General Assembly of Illinois, entitled "An Act to provide a bonus to certain persons who served in the military or naval forces of the United States in the late war with Germany," which in substance provides that each person who was a resident of Illinois and served in the military or naval service of the United States in the late war shall receive a bonus of fifteen dollars for each month of such service with a minimum of \$15 and a maximum of \$300; creates the Service Recognition Board to carry out the provisions of the Act; authorizes the State to contract a debt for such purpose and to issue \$50,000,000 of serial bonds bearing interest annually at a rate not to exceed 6½% and appropriate this sum to the said board; provides that application for said bonuses must be made be- January 1, 1924, and provides that any residue may be expended by said board for any relief of veterans of the late war with Germany of their families, that the General Assembly may specify; levies a tax sufficient to pay the interest of these bonds; annually, as it shall accrue and to pay off said bonds within 20 years from issuance; provides for publication and submission to the people; makes the payment of such interest and bonds irrevocable and pledges the faith of the State to making such payments, go into full force and effect?</p>	YES	
	NO	

6 This question shall be submitted at a general election and returns made at
7 the same time and in the same manner as in the case of the election of State
8 officers and in accordance, as near as may be, with the provisions of the general
9 election laws of this State.

Sec. 14. The Secretary of State is authorized and directed to cause pub-
2 lication of this Act to be made, once each week, for three months at least before
3 the vote of the people shall be taken upon such Act, and said appli-
4 cation shall be made in the city of Springfield and one in the city of
5 Chicago.

Sec. 15. The provisions of this Act for the payment of the principal of said
2 bonds at maturity and of the interest thereon annually, as it shall accrue, by
3 a direct annual tax, shall be irrevocable until such debt and interest be paid in
4 full, and for the making of such payment the faith of the State of Illinois is
5 hereby pledged.

Sec. 16. This Act shall go into full force and effect when it receives at the
2 general election at which it is submitted a majority of the votes cast for mem-
3 bers of the General Assembly at such election.



- 1 Introduced by Mr. Walker, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 1 of "An Act to provide for annexing and excluding territory to and from cities, towns and villages and to unite cities, towns and villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sestion 1 of "An Act to provide for annexing and excluding territory to and from cities, towns and villages and to unite cities, towns and villages," approved April 10, 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 1. On petition in writing signed by a majority of the legal voters *or by a majority of the property owners, in any territory, not included within the limits of any city, village, or incorporated town, contiguous to any city, village or incorporated town, the city council or board of trustees of such city, village or town may, within six (6) months after receipt of such petition annex such territory to such city, village or town, by passing, by a two-thirds vote of all of the members*

7 of such city council or board of trustees, an ordinance to that effect, and filing a
8 copy of such ordinance with an accurate map of the territory annexed (duly certi-
9 fied by the mayor of the city or president of the board of trustees of the village
10 or town) in the office of the recorder of deed of the county where the annexed
11 territory is situated, and having the ordinance and map recorded therein.



- 1 Introduced by Mr. Walker, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to add Section 1a to "An Act to provide for annexing and excluding territory to and from cities, towns and villages and to unite cities, towns and villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 1a is added to "An Act to provide for annexing and excluding territory to and from cities, towns and villages and to unite cities, towns and villages," approved April 10, 1872, in force July 1, 1872, as amended, this section to read as follows:*

Sec. 1a. In addition to any other methods that are provided by law, any territory not less than one square mile in area and containing at least five hundred inhabitants which is not included within the limits of any city, village or incorporated town and which is contiguous to a city, village or incorporated town, may be annexed to such city, village or incorporated town in the manner following:

7 Upon the presentation of a petition to the judge of the county court of the
8 county within which such territory, or a major portion thereof, is situated, signed
9 by not less than one hundred of the legal voters of the territory sought to be
10 annexed, asking that the question of annexation of the territory described in the
11 petition be submitted to the legal voters of the territory described in the petition,
12 it shall be the duty of the county judge to fix a time and place, or places within
13 the boundaries of such territory at which an election shall be held to determine
14 whether or not the voters favor annexation. The county judge shall post notices
15 of election for at least ten days in ten public places within such territory and
16 shall appoint judges and clerks to officiate at such election. The election returns
17 shall be made to, and shall be canvassed by the county judge and any two justices
18 of the peace whom he shall call to his assistance. The result of the election shall
19 be entered on the record of the county court. If a majority of the votes cast at
20 such election are for annexation, the county judge shall then give notice to the
21 city council or board of trustees of the city, village or incorporated town that
22 such territory has voted in favor of annexation. The city council or board of
23 trustees of such city, village or incorporated town shall within ninety (90) days
24 after receipt of such notice either annex such territory to such city, village or
25 incorporated town by ordinance, or shall submit the question of whether such
26 territory shall be annexed to such city, village or incorporated town at the next
27 regular election, or, if there is no regular election within ninety days, at a special
28 election called for the purpose of submitting that question. If a majority of the
29 voters voting on the question of annexation at such election, vote in favor of
30 annexation, then within ninety days, the city council or board of trustees shall by
31 ordinance annex such territory to such city, village or incorporated town. Upon
32 the passage of an ordinance of annexation as provided in this section whether
33 passed after a referendum or not, a copy of such ordinance with an accurate map
34 of the territory annexed, duly certified as correct by the mayor of the city or
35 president of the board of trustees of the village or incorporated town, shall be
36 filed in the office of the recorder of deeds of the county in which the city, village
37 or incorporated town is located.



- 1 Introduced by Mr. Davis, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 89a of “An Act to establish and maintain a system of free schools,” approved and in force June 12th, 1909, as amended, by adding thereto Sections 89b and 89c.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 89a of “An Act to establish and maintain a system of free schools,” approved and in force June 12th, 1909, as amended, is amended, and Section 89b and Section 89c are added thereto, said additional sections to read as follows:

Sec. 89b. That hereafter whenever a petition is filed for the organization of a Community High School District in accordance with the provisions of Section 89a, which includes within the boundaries of said proposed district any city, village or town, and an election is called for the purpose of voting thereon, that for all territory lying outside of said city, village or town, separate polling precincts shall be established and all persons residing in said territory, without the municipality, shall vote at said separate voting places, and if a majority of the

8 votes within said territory so located outside of the city, village or town, vote
9 against the said proposition so submitted, then said territory shall not be in-
10 cluded within said Community High School District.

Sec. 89c. That hereafter whenever a Community High School District has
2 been organized in accordance with the provisions of Section 89a, and included
3 within the boundary lines thereof is a city, village or town, and also territory out
4 of the corporate limits of said city, village or town, then that any or all of the
5 territory not within the said corporate limits shall have the right to have said
6 territory detached from said Community High School District, and said territory
7 may be detached in the following manner: "A petition describing the boundary
8 lines of the territory proposed to be detached may be prepared and if signed by
9 a majority of the legal voters within said territory and presented to the County
10 Superintendent of Schools of the County in which said territory is located, or
11 within which a major portion of the same is located, the said County Superin-
12 tendent of Schools shall examine the same and shall ascertain if it does contain
13 a majority of the legal voters within the territory described, and if so he shall
14 enter an order detaching said territory from said District."



1 Introduced by Mr. Davis, March 16, 1921.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 89a of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, and to add Section 89b thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 89a of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, is amended and Section 89b is added thereto, the amended and additional sections to read as follows:

Sec. 89a. Upon the receipt of a petition signed by fifty or more legal voters residing in any contiguous and compact territory, whether in the same or different townships, described in the petition, the county superintendent of schools of the county in which the territory or the greater part thereof is situated, shall order an election to be held for the purpose of voting for or against the proposition to establish a community high school, by posting notices for at least ten days in ten of the most public places throughout the said territory, which notices may be substantially in the following form, to-wit:

NOTICE OF ELECTION.

Notice is hereby given that on....., the.....day of.....
, 19..., an election will be held at.....
 for the purpose of voting for or against the proposition to establish a community
 high school for the benefit of the inhabitants of the following described contigu-
 ous and compact territory, to-wit:.....

 The polls will be opened at.....o'clock..m., and closed at.....o'clock
 ..m. of the same day.

A.....B.....

County Superintendent.

Dated this....., 19.....

The county superintendent of schools shall establish one or more polling
 places in each school district and in each fractional part of a school district within
 the territory described in the petition and appoint two judges and a clerk for
 each polling place. The ballots shall be in substantially the following form, to-
 wit:

OFFICIAL BALLOT.

For the establishment of a community high school.....	
Against the establishment of a community high school.....	

The voter shall make a cross-mark in the square following and opposite the
 proposition favored and the ballot shall be so counted. The returns shall be made
 to the county superintendent of schools within 5 days.

If a majority of the votes cast in each school district and in each fractional
 part of a school district at the election shall be in favor of establishing a com-
 munity high school, the county superintendent of schools shall forthwith order an
 election to be held within 30 days, for the purpose of selecting a community high

34 school board of education to consist of five members, by posting notices for at
 35 least 10 days in ten of the most public places throughout the district, which
 36 notices shall be substantially as follows:

37 NOTICE OF ELECTION.

38 Notice is hereby given that on....., the.....day of.....
 39, 19...., an election will held at.....
 40 for the purpose of electing a community high school board of education, to consist
 41 of five members. The polls will be opened at.....o'clock..m., and closed at
 42o'clock..m. of the same day.

43 A.....B.....

44 County Superintendent.

45 Dated this....., 19.....

46 The county superintendent of schools shall establish one or more polling
 47 places within the district and appoint two judges and a clerk for each polling
 48 place. The returns shall be made to the county superintendent of schools within
 49 five days.

50 Within ten days after their election, the members of the community high
 51 school board of education shall meet and organize by electing one of their number
 52 president and by electing a secretary; also determine by lot the time each
 53 member is to serve. Two of the members shall serve for one year, two for two
 54 years and one for three years, from the second Saturday in April next preceding
 55 their election. At the expiration of the term of office of any member or members
 56 a successor or successors shall be elected, each of whom shall serve for three
 57 years. All subsequent elections shall be held on the second Saturday in April,
 58 annually. The manner of holding elections shall be governed by Section 86 of
 59 this Act. In case of a vacancy the remaining members shall appoint a successor
 60 for the unexpired term. It shall be the duty of the community high school board
 61 of education to establish at some central point most convenient to a majority of
 62 the pupils of the district a community high school with a program of studies
 63 through four school years.

Sec. 89b. *When the inhabitants of any school district in a community high school district, or the inhabitants of that fractional part of a school district lying within a community high school district, desire that their district, or part of a district, be detached from such community high school district, the county superintendent of schools of the county in which such community high school district or the larger portion thereof is situated, upon a petition signed by fifty legal voters (or if the district or part of a district contain less than 150 voters, then by at least one-third of the legal voters) of such school district or part of a school district, shall forthwith order an election to be held in such school district, or part of a school district, for the purpose of voting for or against the proposition of detachment from such community high school district, by posting notices of the election for at least ten days in three of the most public places throughout the school district, or part of a school district.*

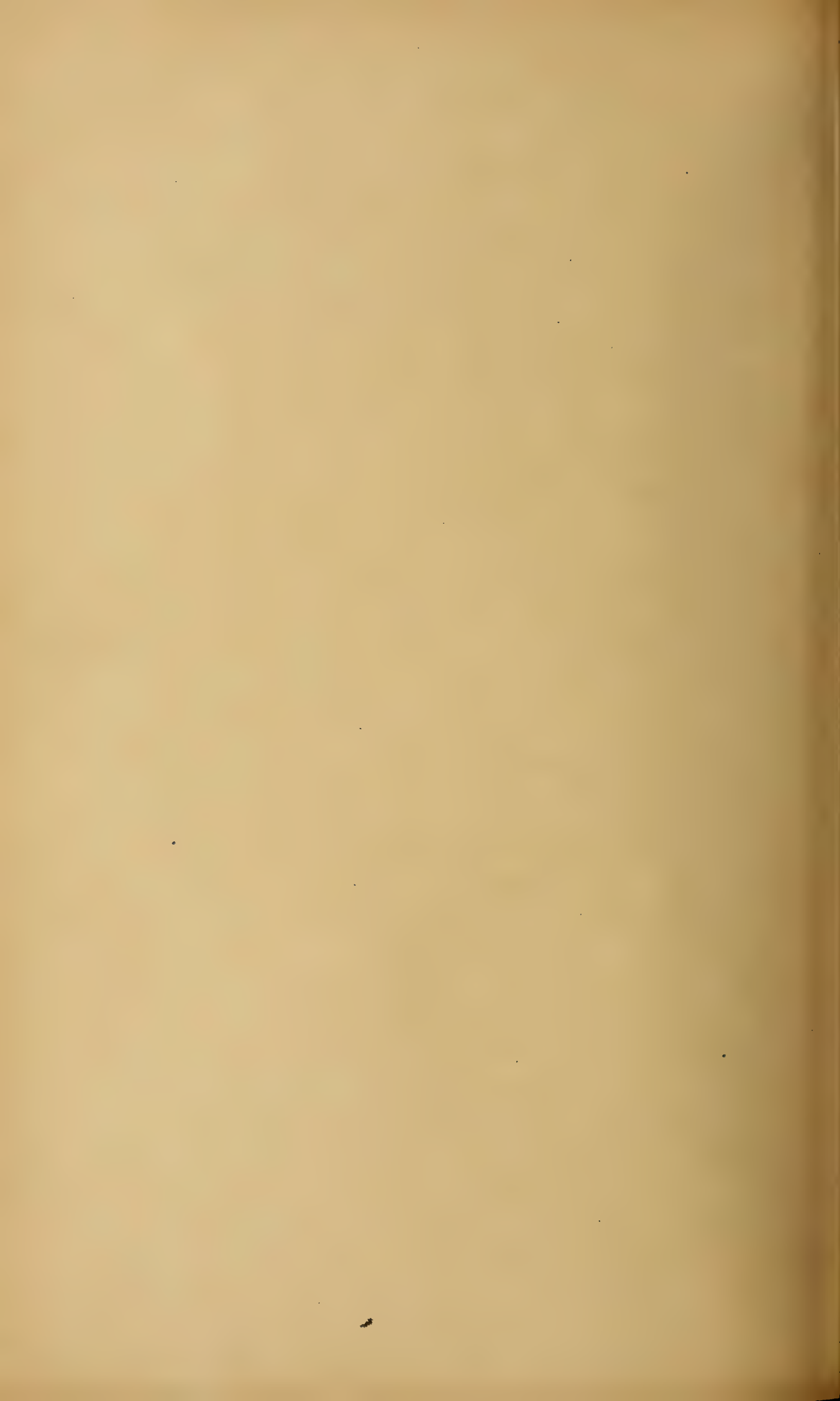
The county superintendent of schools shall establish one or more polling places within the school district or part of a school district and appoint two judges and a clerk for each polling place. The election notices and ballots shall be, as nearly as possible, in the form prescribed in Section 89a of this Act.

If two-thirds of the votes cast at any such election be in favor of detachment from the community high school district, the county superintendent of schools shall declare the school district or part of a school district detached from the community high school district, and shall so notify the high school board of education of such community high school district.

In case any school district or part of a school district is detached, under the provisions of this section, from any community high school district having a bonded debt, the original district shall remain liable for the payment of such bonded debt, as if no detachment had been made. The high school board of education of any such community high school district shall determine and certify to the county clerk the amount of tax required yearly for the purpose of paying the interest and principal of such bonded debt, which tax shall be extended

31 *by the county clerk against all property embraced within the original community*
32 *high school district as if there had been no detachment.*

33 *Any school district, or part of a school district, detached from a community*
34 *high school district under the provisions of this section shall not be entitled to,*
35 *or have any interest in, any part of the assets of such community high school*
36 *district.*





- 1 Introduced by Mr. West, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to add Section 15a to "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 15a is added to "An Act to pro-
3 vide for the printing and distribution of ballots at public expense, and for the
4 nomination of candidates for public offices, to regulate the manner of holding
5 elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in
6 force July 1, 1891, as amended, the added section to read as follows:

Sec. 15a. *Ballots for female electors in each precinct or district shall be*
2 *the same as for male electors therein. Ballots cast by female electors shall be*
3 *placed in the same ballot boxes in which ballots cast by male electors are placed.*

Sec. 2. Because of an emergency, this amendatory Act shall take effect
2 upon its passage.



- 1 Introduced by Mr. Rutshaw, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend Section 15 of "An Act to revise the law in relation to weights and measures." Approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 15 of "An Act to revise the law in relation to weights and measures," approved June 27, 1913, in force July 1, 1913, as amended, is amended to read as follows:*

Sec. 15. The Department of Trade and Commerce as State Sealer, and each county and city sealer shall be entitled to receive and collect fees for services at and after the following rates:

For inspecting and sealing scales of the capacity of 40,000 pounds and upwards, each	\$5.00
For inspecting and sealing scales of the capacity of 24,000 pounds up to 40,000 pounds, each.....	2.50

8	For inspecting and sealing scales of the capacity of 6,000 pounds up to	
9	24,000 pounds, each.....	1.50
10	For inspecting and sealing scales of the capacity of 2,500 pounds up to 6,000	
11	pounds, each75
12	For inspecting and sealing scales of a capacity of 240 pounds up to 2,500	
13	pounds, each50
14	For inspecting and sealing scales of a capacity of 2 pounds up to 240	
15	pounds, each30
16	For inspecting and sealing Hopper scales, each	2.00
17	For inspecting and sealing two-bushel, one-bushel and one-half bushel meas-	
18	ures, each10
19	For inspecting and sealing any other dry measure, each.....	.10
20	For inspecting and sealing every automatic weighing machine, or every in-	
21	strument or device of a capacity of less than three tons used for weigh-	
22	ing or measuring any person or animal, for hire or reward, each.....	.75
23	For inspecting and sealing liquid measures of the capacity of one gallon and	
24	upwards, each15
25	For inspecting and sealing any other liquid measures, each.....	.10
26	For inspecting and sealing yard measures, each10
27	For inspecting and sealing any linear measure, for each three feet.....	.10
28	For inspecting and sealing any tape line exceeding 50 feet in length, each..	.75
29	For inspecting and sealing any automatic machine used for lineal measur-	
30	ing, each75
31	For inspecting and sealing any automatic pump used for measuring gaso-	
32	line, oils, etc., each.....	1.00
33	They shall also be entitled to a reasonable compensation for making such	
34	weights and measures conform to the standard established by this Act: <i>Pro-</i>	
35	<i>vided, however,</i> that no charge shall be made by the Department of Trade and	
36	Commerce for inspecting and sealing any weights, measures, scales, or beams	

37 which may belong to any county, city or other municipal corporation and which
38 may be sent or brought to the Department of Trade and Commerce for that pur-
39 pose by the county sealer or by the sealer or inspector of weights and measures
40 of any city or other municipal corporation.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 406

1921



1 Adopted April 21, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 406, by inserting the words "for the use of the

2 State, City or County" before the word "at" in line 3 of Section 15 of the

3 printed bill.



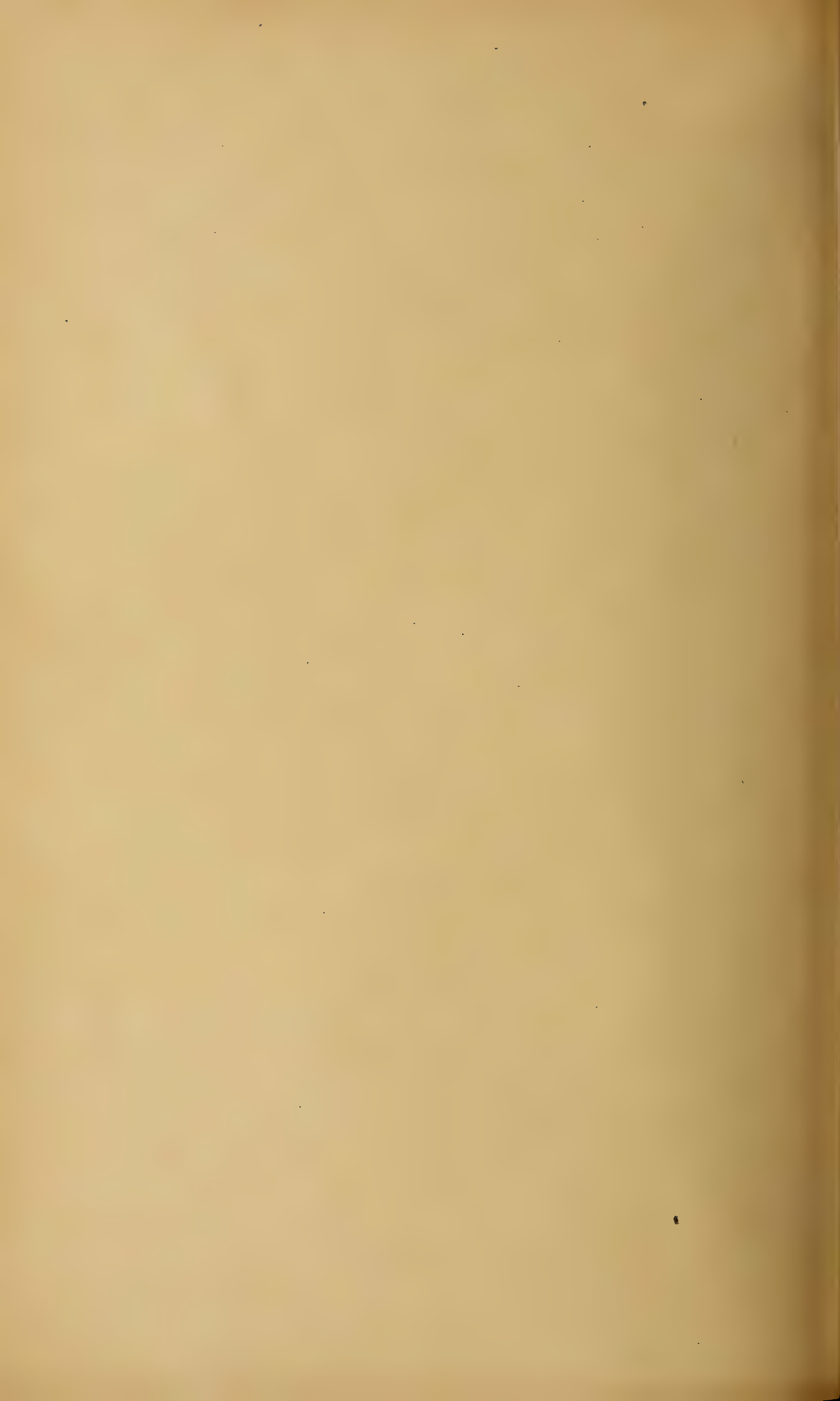
- 1 Introduced by Mr. Rutshaw, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 202 of an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes”, approved March 30, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 202 of an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as subsequently amended, be and the same is hereby further amended to read as follows:

Sec. 202. The person at such sale offering to pay the amount due on each tract or lot for the least percentage thereon as penalty, shall be the purchaser of such tract or lot: *Provided*, that no bid shall be accepted for a penalty exceeding fifteen per cent (15%) of the amount of such tax or special assessment.



AMENDMENT TO
52d G. A. HOUSE BILL NO. 407



1 Adopted April 21, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 407, by adding the following paragraph after line 4, Sec.

2 202:

Sec. 2. An emergency is hereby declared to exist and this Act shall be de-
2 clared to be in full force and effect from and after its passage and approval.

1 Introduced by Mr. Rew, March 16, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act relating to money deposited or advanced on a contract or agreement for the use or rental of personal property; declaring such money deposited or advanced to be a trust fund in possession of person receiving same; requiring such trust fund to be deposited by trustee in county in which depositor resides; and fixing the civil and criminal liability for the violation of this Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Whenever any person, firm or corpora-
3 tion, engaged in the leasing of personal property, shall require a deposit or ad-
4 vance payment to be made by the lessee to bind the said lessee to the perform-
5 ance of such contract, then such money so deposited, with any accruing interest
6 thereon, shall, until returned or applied in accordance with the terms of such
7 contract or agreement, continue to be the money of the person making the de-
8 posit and shall become and remain a trust fund in the possession of the person
9 with whom such deposit shall be made, and the person, firm or corporation, re-
10 ceiving such deposit shall be the holder of such fund as trustee, and as the trus-
11 tee as herein defined shall forthwith and within seven days after the receipt of

12 such trust fund, deposit the same in some bank or trust company in the county
13 in which the *cestui qui* trust shall reside or have his principal office or place of
14 business, and such fund shall not be mingled with any other funds or assets of
15 said trustee; any person, firm or corporation receiving any money in trust, as
16 herein defined, who shall violate any of the provisions of this Act shall be deemed
17 guilty of a misdemeanor. Provided, however, that this Act shall not apply to
18 such transactions where the property used or leased is delivered to lessee at time
19 of agreement and remains in the actual and continuous possession of lessee dur-
20 ing the term of such agreement.

Sec. 2. Any person, firm or corporation being a trustee, as provided in sec-
2 tion one of this Act, who shall violate any of the provisions of this Act, shall pay
3 to the depositor a sum of money double the amount of the deposit or advance pay-
4 ment, which may be recovered in any court of competent jurisdiction, together
5 with a reasonable attorney's fee to be fixed by the court and collected as other
6 costs in the case. Any waiver or attempt to waive the provisions of this Act,
7 shall be void.

Sec. 3. All Acts or parts of Acts in conflict herewith are hereby repealed.

AMENDMENT TO
52d G. A. HOUSE BILL No. 408 1921



1 Adopted May 4, 1921.

AMENDMENT No. 1

Amend printed House Bill No. 408 by inserting in line 17 Section 1, after the
2 word "misdemeanor" the following:
3 "and shall be fined a sum of not less than Ten Dollars (\$10.00) nor more than
4 fifty dollars (\$50.00)."



Offered June 1, 1921.

Ordered printed.

AMENDMENT NO. 1.

Amend printed House Bill No. 408 in Senate by striking out in the title all after the words "deposited or advanced" in the first line of the title and substituting in lieu thereof the following: "under contracts for the use of the rental of personal property."

AMENDMENT NO. 2.

Amend printed House Bill No. 408 in Senate by striking out all of said bill after the enacting clause and inserting in lieu thereof the following:

"In all contracts for the use or rental of personal property by the terms of which money is advanced or deposited as security for the property rented, or for the payment of rentals as they become due or for the performance of the terms of the contract, the money so advanced shall be deposited at interest with a bank or trust company authorized by law to do business, in trust for the use of the parties to such contract or agreement.

There shall also be deposited with the money advanced a copy of the contract for the rental or use of the property.

Sec. 2. When the contract has been completed, or has been rescinded by mutual consent the money advanced shall be released and returned by the consent of the contracting parties to the party who advanced it.

Sec. 3. In the event that the contract is not completed and its further performance is refused by one or more of the contracting parties the money deposited may be released and returned to the party advancing it by the mutual consent of the contracting parties.

Sec. 4. If the contracting parties do not consent to the return of the money deposited, either the party advancing the money, or the party for whose security the money was advanced may file a bill in chancery in any court of competent jurisdiction in the county where the bank or trust company is located. The other contracting party and the bank or trust company in which the money is deposited shall be made parties defendant to the bill.

Sec. 5. The Court shall try the issues and if it finds that the party advancing the money is not liable for any damages for which the money was security under the terms of the contract, it shall enter an order returning the money to him. If, however, the Court finds that the party for whose security the money was deposited is entitled to damages secured by the money, it shall assess his damages, enter judgment accordingly and direct that the balance, if any, shall be returned to the party advancing the money. The costs of suit shall be taxed by the Court in its discretion, except that no judgment or decree for costs shall be entered against the bank or trust company.

Sec. 6. Any interest which accrues while the money advanced is so deposited shall be kept with the principal sum and shall be disposed of in the same manner as the principal sum in accordance with the provisions of this Act.



- 1 Introduced by Mr. Rew, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 8 and 17 of the Motor Vehicle Law, approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 8 and 17 of the Motor Vehicle
3 Law, approved June 30, 1919, in force July 1, 1920, are amended to read as
4 follows:

Sec. 8. Every owner of a vehicle of the First Division, as described in
2 Section 2 of this Act, which shall be driven in this State, shall, except as
3 otherwise provided in this Act, within ten days after he becomes the owner of
4 such motor vehicle or motor bicycle, file in the office of the Secretary of State
5 an application for a certificate of registration properly sworn to, setting forth
6 his name and address, with a brief description of the vehicle, or bicycle, to be
7 registered, including the name of the maker, factory and engine numbers, style
8 of vehicle or bicycle and the motor power and (except in the case of electri-
9 cally propelled vehicles) the amount of such motor power stated in figures of

10 horsepower, in accordance with such standard rating as may be prescribed by
 11 the Secretary of State, on a blank to be prepared and furnished by such Sec-
 12 retary of State for that purpose and shall pay to said Secretary of State, for
 13 each calendar year from and after January 1, 1920, a registration fee for motor
 14 bicycles and motor vehicles of said First Division, so registered, at the follow-
 15 ing rates: For each motor bicycle, the sum of \$4.00 per annum; for each motor
 16 vehicle of 25 horsepower and less, the sum of \$8.00 per annum; for each
 17 motor vehicle of 35 horsepower and more than 25 horsepower, the sum of
 18 \$12.00 per annum; for each motor vehicle of 50 horsepower and more than 35
 19 horsepower, the sum of \$20.00 per annum; for each motor vehicle of more than
 20 50 horsepower, the sum of \$25.00 per annum; for each and every electrically
 21 propelled motor vehicle, the sum of \$12.00 per annum: *Provided*, the first reg-
 22 istration fee for each motor vehicle or motor bicycle shall be reduced 50 per cent
 23 if payable during the second half of the calendar year, and that no certificate
 24 for re-registration shall issue for a less sum than the fee required for a cal-
 25 endar year. Said registration shall be made on the date the application is re-
 26 ceived and filed by the Secretary of State and expire with the last day of the
 27 calendar year in which such registration is made. Upon the filing in the office
 28 of the Secretary of State of said application and the payment of the regis-
 29 tration fee, as hereinbefore provided, the Secretary of State, or his duly author-
 30 ized agent, shall, without further fee, assign to such motor vehicle, or motor
 31 bicycle, as described in such application, a distinctive number and shall issue
 32 to the owner of such motor vehicle or motor bicycle, as it is described in the
 33 application filed, a certificate of registration, which certificate shall be in the
 34 form of a card, which *shall be carried upon the person of the driver or operator*
 35 *of such motor vehicle when being driven or operated upon any public highway*
 36 *in this State, and shall be exhibited by such driver or operator, upon demand*
 37 *to any police officer, constable, or other official charged with the enforcement of*
 38 *the Act: Provided, that this provision shall not apply to chauffeurs duly*
 39 *licensed under the laws of this State.* Such certificate shall contain the descrip-

tive number so assigned to such motor vehicle or motor bicycle, the name and address of the owner, a brief description of such motor vehicle or motor bicycle, stating the name of the manufacturer, the kind of motor power, and the amount of such motor power stated in figures of horsepower or the capacity of such motor vehicle or motor bicycle if electrically propelled. Upon filing in the office of the Secretary of State *by the owner of any motor vehicle or motor bicycle* of an affidavit to the effect that the original front or rear motor vehicle number plate or original motor bicycle number plate, *or original certificate of registration*, is lost, stolen or destroyed, a duplicate certificate of registration or duplicate motor bicycle number plate will be furnished at 50 cents each and a duplicate front and rear motor vehicle number plate will be furnished at \$1.00 each. The Secretary of State shall keep separate alphabetical lists of all owners of motor vehicles of the First Division and all owners of motor vehicles of the Second Division, with the address of each, the registration number, the date of filing of the application and the description of the motor vehicle or motor bicycle; and shall not thereafter assign a number once assigned to a motor vehicle or a motor bicycle owned by any other person. If the owner of the motor vehicle or motor bicycle to whom such number was first assigned shall, not less than twenty (20) days prior to the day of expiration of said registration, file an application accompanied by the fees herein specified for the registration or re-registration of a motor vehicle or motor bicycle and request the assignment of said number to a motor vehicle or motor bicycle owned by him. The Secretary of State shall, at the end of each calendar month print and mail to the clerks and the sheriffs of all the counties and to the chiefs of police of cities and towns of five thousand population and over, in this State, copies of lists of registration made in accordance herewith showing the number of motor vehicles and motor bicycles and the names and addresses of the owners thereof.

The Secretary of State, shall, upon payment of a fee of \$25.00 enter the name of the person, firm or corporation sending the same, upon a list to receive copies of the lists of registration provided for in this section.

71 *Any person who shall fail to carry upon his or her person while operating*
 72 *a motor vehicle or motor bicycle upon any public highway in the State the cer-*
 73 *tificate of registration herein provided for, shall upon conviction thereof be*
 74 *finned in the sum of not to exceed five dollars (\$5.00).*

 Sec. 17. Every person, firm, association or corporation manufacturing or
 2 dealing in motor vehicles may, instead of registering each motor vehicle so
 3 manufactured or dealt in, make a verified application upon a blank to be fur-
 4 nished by the Secretary of State for a general distinctive number for all the
 5 motor vehicles owned or controlled by such manufacturer or dealer, such appli-
 6 cation to contain: (a) The trade name or names of the make of the motor vehi-
 7 cle or vehicles manufactured or dealt in by such manufacturer or dealer, in-
 8 cluding the character of the motor power, the amount of such motor power (ex-
 9 cept in case of electrically propelled motor vehicles) stated in figures of horse-
 10 power, and (b) the name and business address of such manufacturer or dealer.
 11 Every applicant when making such application shall pay to the Secretary of
 12 State a registration fee at the following rates: For each calendar year from
 13 and after January 1, 1920, the sum of \$12.00 per annum. Upon the payment of
 14 such registration fee such application shall be filed and recorded in the office of
 15 the Secretary of State in the manner provided in section 8 of this Act. There
 16 shall thereupon be assigned and issued to such manufacturer or dealer a gen-
 17 eral and distinctive number, and without further expense to him there shall be
 18 issued and promptly delivered to such manufacturer or dealer at his business
 19 address a certificate of registration in such form as the Secretary of State shall
 20 prescribe, and two number plates with a number corresponding with the number
 21 of such certificate of registration. The number plates so issued shall be distinctly
 22 different from those provided for in section 14 of this Act, but shall corre-
 23 spond in color and size of numbers and letters with the number plates for motor
 24 vehicles provided for in section 14 thereof. By filing application for the same,
 25 such manufacturer or dealer may obtain as many duplicates of such certificates
 26 of registration and duplicate sets of number plates as he may desire upon pay-

ment to the Secretary of State for each set of two plates the sum of \$12.00 per annum. In case of loss or destruction of one plate, the manufacturer or dealer may obtain a duplicate of the same by filing affidavit to that effect and upon the payment of the fee of \$6.00; *and in case of loss of original or duplicate certificate of registration, the manufacturer or dealer may obtain additional duplicate certificate of registration upon filing affidavit to that effect and upon the payment of a fee of fifty cents.* Such number plates shall be conspicuously displayed upon the front and back of every motor vehicle of such manufacturer or dealer when the same is operated or driven on the public highways. Such registration shall be renewed annually in the same manner and on the payment of the same fee as provided in this section for original registration; such renewal to take effect on the first day of January of each year. The provisions of section 8 relating to first registrations made in compliance therewith and durations of renewals shall apply to registration under this section. Upon the sale of a motor vehicle by a manufacturer or dealer, the purchaser shall be permitted to operate the same upon the public highways of this State for a period of ten days after taking possession thereof, without carrying license plates, as provided in section 14 of this Act. If the purchaser shall have in his possession a bill of sale as hereinafter provided, and if proper application for the registration of such motor vehicle shall have been mailed or presented to the Secretary of State, together with the required fee, within twenty-four hours after he has taken possession thereof.

Upon the sale of a motor vehicle by a manufacturer or dealer, he shall thereupon give to the purchaser a bill of sale setting forth the name and address of the purchaser, the date of purchase together with a description of such motor vehicle, showing name of manufacturer, style, factory and engine numbers, and amount of horsepower.

The names of the licensed manufacturers and dealers shall be furnished the county clerks, sheriffs and the chiefs of police in the same manner as provided for in section 8 in respect to owners.



- 1 Introduced by Mr. Rew (by request), March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled "An Act to revise the law in relation to township organization," approved and in force March 4, 1874, as subsequently amended, be and the same is hereby amended by amending Section one (1) of Article seven (7) thereof to read as follows:

At the annual meeting in each town, there shall be elected by ballot one supervisor (who shall be *ex officio* overseer of the poor), one town clerk, one assessor, and one collector, who shall severally hold their offices for two years and until their successors are elected and qualified, and such justices of the peace, constables and highway commissioners as are provided by law: *Provided*, that in any town or city not included within the limits of any town (except in Cook County) having four thousand (4,000) inhabitants, there shall be

13 elected one additional supervisor to be styled assistant supervisor; in towns
14 having six thousand five hundred (6,500) inhabitants, there shall be elected two
15 assistant supervisors; and so for every additional twenty-five hundred (2,500)
16 inhabitants, there shall be elected one additional supervisor, the population of
17 towns to be ascertained by the last federal or State census preceding the
18 election;

19 *And, provided, further,* that in counties under township organization, now
20 having a population of less than 100,000 there shall hereafter be no town col-
21 lector elected, but the county collector shall be *ex officio* town collector, and all
22 the duties of the town collector shall devolve upon and be performed by the
23 county collector. Nothing herein shall affect the terms, duties or compensation
24 of town collectors electors elected before the taking effect of this Act.

25 *And, provided, further,* that in counties under township organization now
26 having a population of less than 100,000 there shall hereafter be no town assessor
27 elected, but the county treasurer, as supervisor of assessments shall be *ex officio*
28 town assessor and all the duties of the town assessor shall devolve upon and be
29 performed by said county treasurer. Nothing herein shall affect the terms,
30 duties or compensation of town assessors electors elected before the taking
31 effect of this Act.

32 *And, provided, further,* That in counties under township organization now
33 having a population of less than 100,000, there shall hereafter be no supervisors
34 or assistant supervisors elected, but in lieu thereof, at the annual town election,
35 there shall be elected delegates in the same manner and number as provided in
36 Section one of this Article, who shall be supervisors of the poor and, they shall
37 meet as provided by law for supervisors and elect from their number or from the
38 electors of the county at large three commissioners who shall perform all the
39 duties of all the supervisors and assistant supervisors (except supervision of
40 the poor and exclusive township business, which shall be performed by said
41 elected delegates in like manner as present supervisors and assistants). The

42 compensation for services of the commissioners shall be paid from the county
43 general fund and the compensation for service of all delegates for the township
44 fund of each respective township—nothing shall affect the term, duties or com-
45 pensation of town supervisors or assistants elected before the taking of effect
46 of this Act.



- 1 Introduced by Mr. Hurst, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Waterways.

A BILL

For an Act to provide for the keeping of the channels of streams free from drift and
other impediments.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Every owner of land annually shall clean
3 the channels of all streams of a width greater than fifteen feet running upon or
4 bordering his land, and shall remove all brush, trees, logs and other impediments
5 to the flow of water in the bed of such stream. When a stream runs between the
6 lands of two or more owners, each owner shall clean his part of the stream.

Sec. 2. The provisions of Section 1 shall not be construed to require the
2 removal of or interference with fencing, flood gates, bridges or culverts.

Sec. 3. Whoever fails or refuses to comply with the provisions of Section
2 1 of this Act is guilty of a misdemeanor and shall be punished by a fine of not
3 less than five dollars (\$5.00) and not more than fifty dollars (\$50.00) and in
4 addition shall be liable civilly for all damages occasioned thereby to any person
5 by reason of failure to comply with the provisions of this Act.



- 1 Introduced by Mr. McCarthy, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the Department of Public Works and Buildings for the erection of a Memorial Statue to the mothers' of soldiers from Illinois, who sacrificed their lives in the World War.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is appropriated to the Department
3 of Public Works and Buildings the sum of \$25,000 for the erection of a marble
4 statue to the mothers of soldiers from Illinois, who sacrificed their lives in the
5 World War.

Sec. 2. This statue shall be placed in Memorial Hall in the Centennial
2 Memorial Building at a place to be designated by the Secretary of State.

Sec. 3. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Volz, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For An Act to amend an Act entitled, "An Act to provide for the fees of certain officers therein named in counties of the third class, to-wit: Sheriff, Recorder and County Clerk," (approved May 16, 1905, in force July 1, 1905,) as amended by amending Section 2 and 3 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the fees of certain officers therein named in counties of the third class, to-wit: sheriff, recorder and county clerk," approved May 16, 1905, in force July 1, 1905, as amended be, and the same hereby is amended by amending Sections 2 and 3 thereof, to read as follows:

Sec. 2. FEES OF RECORDER OF DEEDS.] For recording any deed or other instrument in writing, for every one hundred words, or fraction thereof, *fifteen cents*, and *fifty cents* for the certificate of the recorder of the time of filing the deed or instrument for record, and the book and page of the record.

For recording maps or plats of additions, subdivision or otherwise, for each

tract, parcel or lot contained therein, *fifteen cents*, and *fifty cents* for the certificate of the time of filing the same for record, and the book and page of the record thereof.

For certified copies of records, the same fees as herein allowed for recording.

Sec. 3. FEES OF COUNTY CLERKS.] For each license and taking bond for ferry, toll-bridge, turnpike road, tavern, saloon, grocery or peddler, two dollars.

For issuing each marriage license, sealing, filing and recording the same, and the certificate thereto (one charge), *three dollars*.

For each copy of rates for ferry, toll-bridge or turn-pike road, twenty-five cents.

For taking and certifying to the acknowledgment of a deed, power of attorney, or other writing and sealing the same, twenty-five cents.

For filing certificate in case of estrays, entering the same and furnishing notices for publication thereof (one charge), seventy-five cents.

For recording all papers and documents required by law to be recorded in the office of the county clerk, for every one hundred words, ten cents.

For swearing any person to an affidavit, not to be used in a case in the court of which he is a clerk, with certificate and seal, twenty-five cents.

For certificate and seal, not in a case in a court whereof he is clerk, twenty-five cents

For making and certifying a copy of any paper or record in his office, for every one hundred words, ten cents.

For filing papers in his office, for each paper filed, ten cents.

For making transcript of taxable property for the assessors, *four cents* for each tract of land or town lot, and for extending *taxes including forfeitures and forfeited special assessments* other than State and county taxes, *four cents* for each tax on each tract or lot, and each person's personal tax, to be paid by the authority for whose benefit the transcript is made and the taxes extended, and it shall be the duty of the county clerk to certify to the county collector the

26 amount due from each authority, and the collector, in his settlement with such
27 authority, shall reserve such amount from the amount due and payable by him to
28 such authority.

29 The following fees shall be allowed for services in matters of taxes and as-
30 sessments, and shall be charged as costs against the delinquent property, and
31 collected with the taxes thereon.

32 For entering judgment for each tract or lot, three cents.

33 For services in attending the tax sales, and issuing certificates of sales,
34 and sealing the same, for each tract or lot, twenty-five cents.

35 For cancelling certificates of deposit for redemption, *one dollar*; and for fur-
36 nishing estimate of cost of redemption (when deposit for redemption is not made
37 at the time of furnishing estimate) twenty-five cents.

38 For noting on collectors' warrants tax sales subject to redemption, for each
39 tract or lot of land, ten cents, said fee of ten cents to be paid by either the per-
40 son making the redemption from tax sale, the person surrendering certificate of
41 sale for cancellation, or the person taking out tax deed.



Introduced by Mr. Hart, March 16, 1921.

Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act concerning railroads and to better protect the lives of the railway employees and the traveling public, and providing penalties for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful to operate any freight train in this State consisting of less than fifty cars, unless said train shall have a crew consisting of not less than five persons, namely: one engineer, one fireman, one conductor and two brakemen or one brakeman and one flagman. Upon all trains having fifty or more cars in said train a brakeman in addition to the number heretofore required for every twenty-five cars or fraction thereof in excess of forty-nine cars. Flagmen to have at least one year's experience as a freight brakeman.

Sec. 2. It shall be unlawful to operate any passenger, mail or express train unless said train shall have a crew of not less than five persons, namely:

3 one engineer, one fireman, one conductor, one brakeman and one flagman with
4 same qualifications as provided in Section 1 and where baggage is carried upon
5 said train there shall be in addition to said crew a baggageman.

Sec. 3. Where any of the trains mentioned in this Act are operated, driven
2 or pulled by electric or gas motors, or locomotives or by means other than steam
3 locomotives there shall be as a part of the crew thereof a motoneer and an
4 assistant in the place and stead of the engineer and fireman herein required for
5 steam locomotives.

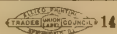
Sec. 4. It shall be unlawful to operate a locomotive or engine runnig light,
2 without cars, upon main line track outside of yard limits unless the same have
3 a crew of not less than three men, namely: one engineer, one fireman and one
4 flagman.

Sec. 5. Wherever in this Act the number of cars in a train are designated
2 they shall be counted exclusive of the locomotive or engine and caboose.

Sec. 6. Any person, persons, partnership or corporation who shall operate
2 any train either as owner, lessee, receiver, or otherwise in violation of the
3 terms of this Act and with a crew less than herein provided, shall be guilty of
4 a misdemeanor and upon conviction shall be fined not less than one hundred
5 dollars nor more than five hundred dollars for each offense, provided that this
6 penalty shall not attach in case of the sudden disability of a member of such
7 crew as sickness, accident or death occurring during the course of a trip. In
8 any of such event the employer shall have three hours at terminals and six hours
9 at outlying points in which to replace such member, during which time such
10 train may be operated short handed.

Sec. 7. It shall be the duty of the Public Utility Commission of this State
2 or any board or commission which may supplant the same for the general regu-
3 lation of utilities, to enforce the provisions of this Act.

Sec. 8. The invalidity of any portion of this Act shall in no way effect the
2 validity of any other portion thereof which can be given effect without such
3 invalid part.



- 1 Introduced by Mr. Young, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 1 of Article VIII of an Act entitled, "An Act for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 1 of Article VIII of an Act
3 entitled, "An Act to provide for the incorporation of cities and villages,"
4 approved April 10, 1872, in force July 1, 1872, as amended, be and the same is
5 hereby further amended to read as follows:

Sec. 1. The city councils in cities and boards of trustees in villages may
2 levy and collect taxes for corporate purposes in the manner following:
3 The city council or board of trustees, as the case may be, shall, annually,
4 on or before the third (3rd) Tuesday in September in each year, ascertain the
5 total amount of appropriations for all corporate purposes legally made and to
6 be collected from the tax levy of that fiscal year; and, by an ordinance specify-
7 ing in detail the purposes for which such appropriations are made and the sum

8 or amount appropriated for each purpose respectively, shall levy the amount
9 so ascertained upon all the property subject to taxation within the city or village
10 as the same is assessed and equalized for State and county purposes for the
11 current year. A certified copy of such ordinance shall be filed with the county
12 clerk of the proper county, whose duty it shall be to ascertain the rate per cent
13 which, upon the total valuation of all property subject to taxation within the
14 city or village as the same is assessed and equalized for State and county pur-
15 poses, will produce a net amount of not less than the amount so directed to be
16 levied, and it shall be the duty of the county clerk to extend such tax in a sep-
17 arate column upon the book or books of the collector or collectors of State and
18 county taxes within such city or village. And where the corporate limits of any
19 city or village shall lie partly in two or more counties, the city council or
20 board of trustees shall ascertain the total amount of all taxable property lying
21 within the corporate limits of said city or village in each county as the same is
22 assessed and equalized for State and county purposes for the current year,
23 and certify the amount of taxable property in each county within said city or
24 village, under the seal of said city or village, to the county clerk of the county
25 where the seat of government of such city or village is situated, whose duty it
26 shall be to ascertain the rate per cent which, upon the total valuation of all
27 property subject to taxation within the city or village, ascertained as afore-
28 said, will produce a net amount not less than the amount so directed to be levied:
29 and said clerk shall, as soon as said rate per cent of taxation is ascertained, cer-
30 tify under his hand and seal of office to the county clerk of any other county
31 wherein a portion of said city or village is situate, such rate per cent, and it
32 shall be the duty of such county clerk to whom such rate per cent is certified
33 to extend such tax in a separate column upon the book or books of the collector
34 or collectors of the State and county taxes for such county against all property
35 in his county within the limits of said city or village; *Provided*, the aggregate
36 amount of taxes so levied for any one year, exclusive of the amount levied for
37 the payment of bonded indebtedness or interest thereon, and exclusive of taxes

38 levied for the purposes of pension funds, public libraries and municipal tuber-
39 culosis sanitarium, shall not exceed the rate of *two and fifteen* one hundredths
40 (*2.15*) per centum from the taking effect of this Act to and including the year
41 1923 and thereafter not to exceed *one and forty-three and on-third one hund-*
42 *redths* per centum (*1.43 1 3%*) in cities and villages of 150,000 or more popu-
43 lation according to the last national or State census, and the aggregate amount
44 of taxes so levied for any one year, exclusive of the amount levied for the pay-
45 ment of bonded indebtedness or interest thereon and exclusive of taxes author-
46 ized by law for specific purposes shall not exceed the rate of one and one-third
47 ($1\frac{1}{3}$) per centum from the taking effect of this Act to and including the year
48 1923 and thereafter eight-tenths of one per centum (.8%) in cities and villages
49 of less than 150,000 population according to the last national or State census,
50 upon the aggregate valuation of all property within such city or village subject
51 to taxation therein, as the same was equalized for State and county taxes for
52 the current year: And, provided, further, that nothing herein contained shall
53 be held to repeal or modify the limitations contained in an Act entitled, "An
54 Act concerning the levy and extension of taxes," approved May 9, 1901, in force
55 July 1, 1901, as subsequently amended. The city council, board of trustees, or
56 mayor and commissioners, as the case may be, of any city or village having a
57 population of less than 20,000 shall have the power, for the purpose of oiling .
58 the streets or public highways within the corporate limits of such city or vil-
59 lage, to direct the payment of the costs thereof out of any moneys in the city or
60 village treasury not otherwise appropriated.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 415

1921



1 Adopted May 25, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 415 by striking out, in lines 39 and 40, page
2 3, the words and figures "two and fifteen one hundredths (2.15)" and inserting
3 in lieu thereof the words and figures "one and eighty-five hundredths (1.85)."

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 415

1921



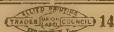
1 Adopted June 1, 1921.

AMENDMENT NO. 2.

Amend House Bill No. 415 by striking out the words and figures “from the
2 taking effect of this Act to and including the year 1923” from lines 40 and 41 of
3 the amended Section 1 of the printed bill and by substituting the words and
4 figures “for three years, beginning with the year 1921” in lieu thereof.

AMENDMENT NO. 3.

Amend House Bill No. 415 by striking out the words and figures “from the
2 taking effect of this Act to and including the year 1923” from lines 47 and 48
3 of the amended Section 1 of the printed bill and by substituting the words and
4 figures “for three years, beginning with the year 1921” in lieu thereof.



- 1 Introduced by Mr. Young, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For An Act to amend Section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of an Act entitled, "An
3 Act concerning the levy and extension of taxes," approved May 9, 1901, in force
4 July 1, 1901, as subsequently amended, be and the same is hereby further
5 amend to read as follows:

Sec. 2 The county clerk in each county shall ascertain the rates per cent
2 required to be extended upon the assessed valuation of the taxable property in
3 the respective towns, townships, districts, incorporated cities and villages in his
4 county, as equalized by the State *Tax Commission* for the current year, to pro-
5 duce the several amounts certified for extension by the taxing authorities in said
6 county (as the same shall have been reduced as hereinbefore provided in all
7 cases where the original amounts exceed the amount authorized by law); Pro-

8 vided, however, that if the aggregate of all taxes (exclusive of State taxes,
 9 township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes,
 10 pension fund taxes, school building taxes, high school taxes, district school
 11 taxes and all other school taxes in school districts having not more
 12 than 100,000 inhabitants, road and bridge taxes, and taxes levied for
 13 the payment of the principal of and the interest on bonded indebt-
 14 edness of cities, and for the payment of the principal of and inter-
 15 est on park bonds hereafter issued, and exclusive of taxes levied pursuant
 16 to the mandate or judgment of any court of record on any bonded indebtedness),
 17 certified to be extended against any property in any part of any taxing district
 18 or municipality, shall exceed two per cent of the assessed valuation thereof upon
 19 which the taxes are required to be extended, the rate per cent of the tax levy of
 20 such taxing district or municipality shall be reduced as follows: The county clerk
 21 shall reduce the rate per cent of the tax levy of such taxing district or municipal-
 22 ity in the same proportion in which it would be necessary to reduce the highest
 23 aggregate per cent of all the tax levies (exclusive of State taxes, township taxes,
 24 village taxes, levee taxes, public tuberculosis sanitarium taxes, pension fund
 25 taxes, school building taxes, high school taxes, district school taxes and all other
 26 school taxes in school districts having not more than 100,000 inhabitants, road
 27 and bridge taxes, and taxes levied for the payment of the principal of and the in-
 28 terest on bonded indebtedness of cities, and for the payment of the principal of
 29 and the interest on park bonds hereafter issued, and exclusive of taxes levied
 30 pursuant to the mandate or judgment of any court of record on any bonded in-
 31 debtedness), certified for the extension upon any of the taxable property in said
 32 taxing district or municipality, to bring the same down to two per cent of the
 33 assessed value of said taxable property upon which said taxes are required by
 34 law to be extended: Provided, further, that in reducing tax levies hereunder
 35 from the taking effect of this Act to and including the year A. D. 1923 the rate
 36 per cent of the tax levy for county purposes in counties having a population of
 37 over 300,000 shall not be reduced below a rate of thirty-six and two-thirds cents
 38 on each one hundred dollars assessed value (exclusive of levies to pay the prin-

39 cipal of and interest on bonded indebtedness and judgments and Mothers' Pen-
40 sion Fund), and thereafter shall not be reduced below a rate of thirty cents on
41 each one hundred dollars assessed value (exclusive of levies to pay the principal
42 and interest on bonded indebtedness, judgments and Mothers' Pension Fund),
43 and in counties having a population of 300,000 or less the rate of the tax levy for
44 county purposes shall not be reduced below a rate of fifty cents on each one hun-
45 dred dollars assessed value (exclusive of levies to pay the principal of and inter-
46 est on bonded indebtedness and judgments), and at the rate per cent of the tax
47 levy for city or village purposes (exclusive of library, public tuberculosis sani-
48 tarium, pension fund, school and park purposes and exclusive of the taxes levied
49 for the payment of the principal of and the interest on bonded indebtedness),
50 in cities and villages having a population of over 150,000 shall not be reduced
51 below a rate of *two* dollars and *fifteen* cents (\$2.15) on each one hundred dollars
52 assessed value, and the rate per cent of the school tax for educational purposes
53 shall not be reduced below a rate of one dollar and twenty cents on each one hun-
54 dred dollars assessed value, and the rate per cent of the tax levy for library pur-
55 poses shall not be reduced below a rate of five and one-third cents on each one
56 hundred dollars assessed value, and the rate per cent of the tax levy for city or vil-
57 lage purposes (exclusive of library, school and park purposes, and exclusive of
58 the taxes levied for the payment of the principal of and the interest on bonded in-
59 debtedness and judgments) in cities and villages having a population of less than
60 150,000, shall not be reduced below a rate of one dollar and thirty three and one-
61 third cents (\$1.33 1/3) on each one hundred dollars assessed value, and the rate
62 per cent of the school tax levy for educational purposes shall not be reduced be-
63 low the maximum rate allowed by law, and the rate per cent of the tax levy for
64 park purposes in districts organized and existing under an Act entitled, "An Act
65 to provide for the creation of pleasure driveway and park districts," approved
66 June 19, 1893, in force July 1, 1893, shall not be reduced below a rate of forty
67 cents on each one hundred dollars assessed value (exclusive of levies to pay the
68 principal and interest on bonded indebtedness and judgments), but the other

69 taxes which are subject to reduction under this sectoion shall be subject only to
 70 such reduction, respectively, as would be made therein under this section if this
 71 proviso were not inserted herein: And, provided, further, in reducing tax levies
 72 hereunder all school taxes levied in cities exceeding 150,000 inhabitants, with
 73 the exception of the levy for school building purposes, shall be included in the
 74 taxes to be reduced.

75 The rate per cent of the tax levy of every county, city, village, town, town-
 76 ship, park district, sanitary district, road district, and other public authorities
 77 (except the State), shall be ascertained and determined (and reduced when nec-
 78 essary as above provided) in the manner hereinbefore specified. and shall then
 79 be extended by the county clerk upon the assessed value of the property sub-
 80 ject thereto (being one-half of the full value thereof) as equalized according
 81 to law. In reducing the rate per cent of any tax levy as hereinbefore provided,
 82 the rates per cent of all tax levies certified to the county clerk for extension as
 83 originally ascertained and determined under Section 1 of this Act, shall be used
 84 in ascertaining the aggregate of all taxes certified to be extended without regard
 85 to any reduction made therein under this section: Provided, that no reduction
 86 of any tax levy made hereunder shall diminish any amount appropriated by cor-
 87 porate or taxing authorities for the payment of the principal or interest on bond-
 88 ed debt, or levied pursuant to the mandate or judgment of any court of record.
 89 And to that end every such taxing body shall certify to the county clerk, with
 90 its tax levy, the amount thereof required for any such purposes.

91 In case of a reduction hereunder, any taxing body whose levy is affected
 92 thereby and whose appropriations are required by law to be itemized, may, after
 93 the same have been ascertained, distribute the amount of such reduction among
 94 the items of its appropriations, with the exceptions aforesaid, as it may elect.
 95 If no such election is made within three months after the extension of such tax,
 96 all such items, except as above specified, shall be deemed to be reduced *pro rata*.



- 1 Introduced by Mr. Young, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend an Act entitled, “An Act to consolidate in the government of the City of Chicago the powers and functions now vested in local governments and authorities within the territory of said city and to make provisions concerning the same,” approved June 29, 1915, in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Section 1 of Article II of an Act
3 entitled, “An Act to consolidate in the government of the City of Chicago the
4 powers and functions now vested in local governments and authorities within
5 the territory of said city and to make provisions concerning the same,” ap-
6 proved June 29, 1915, in force July 1, 1915, be and the same is hereby amended to
7 read as follows:

Sec. 1. RATE OF TAX LEVY FOR CITY PURPOSES.] The city council of the City

2 of Chicago shall annually, during the first half of the fiscal year, by ordinance,
3 levy a general tax on real and personal property not exempt from taxation for
4 corporate purposes, including general city, park, library, and house of correc-
5 tion purposes, to meet the requirements of the annual appropriation bill for

6 such year, not exceeding in the aggregate, exclusive of the amount levied for the
7 payments of bonded indebtedness and the interest on bonded indebtedness, *and*
8 *exclusive of the amounts levied for the municipal tuberculosis sanitarium and*
9 *pension funds two and one-half* per centum of the assessed value of the taxable
10 property within said city, as assessed and equalized according to law for munic-
11 ipal purposes. The city council in its annual tax levy ordinance shall specify
12 the amount levied for the payment of bonded indebtedness, the amount levied for
13 the payment of interest on bonded indebtedness and the amount levied for cor-
14 porate purposes, including general city, park, library, and house of correction
15 purposes. A certified copy of such ordinance shall be filed in the county clerk's
16 office. The county clerk shall extend upon the collector's warrant all of said cor-
17 porate purposes taxes, subject to the limitation herein contained, in a single
18 column as the city of Chicago tax. In case the aggregate amounts levied, exclu-
19 sive of the amounts levied for the payments of bonded indebtedness and the in-
20 terest on bonded indebtedness, shall exceed, as to the corporate purposes tax, the
21 limitation herein contained, such excesses shall be disregarded, and the residue
22 only treated as certified for extension. In such case all items for corporate pur-
23 poses in such tax levy, except those for the payments of bonded indebtedness
24 and the interest on bonded indebtedness, shall be reduced pro rata. The rate so
25 fixed shall not be further impaired by reason of the requirements of an "Act
26 concerning the levy and extension of taxes," approved May 9, 1901, as thereafter
27 amended, but after all reductions have been made proportionately, as required
28 by said Act, shall be restored to the figures of percentage fixed under the provis-
29 ions of this section. The taxes levied shall be collected and enforced in the
30 same manner and by the same officers as state and county taxes, and shall be
31 paid over by the officers collecting the same to the city treasurer, and the city
32 treasurer of the city of Chicago shall keep, under the direction of the city
33 comptroller, a separate account in conformity to said tax levy, and the funds in
34 same shall be paid out by him upon the order of the proper authority for the
35 purposes only for which the same were levied.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 417

1921



1 Adopted June 8, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 417, on page two, in line 9, of the printed bill, by
2 striking out the word "one-half" and inserting in lieu thereof the words "thirty-
3 five one hundredths."



- 1 Introduced by Mr. Smejkal, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to establish a Mining Investigation Commission of the State of Illinois,
and to make appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That a commission be established, to be
3 known as the Mining Investigation Commission of the State of Illinois, consist-
4 ing of three coal mine owners and three coal miners appointed by the Governor,
5 together with three qualified men, no one of whom shall be identified or affiliated
6 with the interestes of either of the mine owners or coal miners or dependent upon
7 the patronage or good will of either, nor in political life who shall be appointed
8 by the Governor.

9 Each member of the said commission shall have equal authority, power and
10 voting strength in considering and acting upon any matters which may be
11 brought to the attention of the commission and on which the commission may act
12 and the said commission shall have power and authority to investigate the meth-
13 ods and conditions of mining in the State of Illinois with special reference to the
14 safety of human lives and property and the conservation of coal deposits.

Sec. 2. In making an investigation as contemplated in this Act, said commissioners shall have the power to issue subpoenas for the attendance of witnesses, which shall be under the seal of the commission and signed by the chairman or secretary of said commission.

In case any person shall wilfully fail or refuse to obey such subpoena, it shall be the duty of the Circuit Court of any county, upon application of the said commissioners, to issue an attachment for such witness, and compel such witness to attend before the commissioners, and give his testimony upon such matters as shall be lawfully required by such commissioners; and the said court shall have the power to punish for contempt, as in other cases of refusal to obey the process and order of such court.

The fees of witnesses shall be the same as in the courts of record and shall be paid out of the appropriation hereinafter made.

And upon order duly entered of record by the said commission any one or more members of the said commission shall be empowered to take testimony touching the matters within the jurisdiction of the said commission and report the same to the said commission.

Said commission shall have power and are authorized to adopt a seal and to make such rules not inconsistent with or contrary to law for the government of proceedings before it, as it may deem proper and shall have the same power to enforce such rules and to preserve order and decorum in its presence as is vested by the common law or statute of this State in any court of general jurisdiction.

Sec. 3. Said commission shall meet at the State Capitol building in Springfield on the second Tuesday after notice of their appointment and shall immediately elect a chairman and secretary from among their number, one of whom shall be a coal mine owner and the other a coal miner. Said commission shall cause a record to be kept of all its proceedings.

Five members of the said commission shall constitute a quorum for the transaction of business, but a less number than a quorum may adjourn the meeting of the commission from time to time.

9 Meetings of the said commission other than called meetings, as provided for
10 herein, may be held at such times and places within the State of Illinois, as may
11 be fixed by the said commission.

12 A meeting of the said commission shall be held upon the written request of
13 any three members of the said commission signed by them and delivered to the
14 secretary who shall, upon receipt of such request, notify each member of said
15 commission by mail of such meeting so to be held, and the time and place thereof.
16 And no such meeting shall be held less than five days after the mailing of notice
17 of the said meeting to the members of said commission by the secretary.

18 Such called meeting shall be held either in Springfield or Chicago.

Sec. 4. Said commission shall report to the Governor and to the General
2 Assembly at its next regular session, submitting, so far as they have unanimously
3 agreed, a proposed revision of mining laws of the State, together with such
4 other recommendations as to the commission shall seem fit and proper relating
5 to mining in the State of Illinois.

6 And where there is not unanimous agreement upon any recommendation
7 there shall be submitted in like manner separate reports embodying the recom-
8 mendations of any one or more members of the said commission, which said re-
9 ports shall each set forth in detail the recommendation of the commissioner or
10 commissioners signing said report and shall embody his or their respective rea-
11 sons for such recommendations and his or their objection to the report of other
12 members of the commission. The duties and functions of said commission shall
13 cease and the terms of office of the respective commissioners shall terminate
14 upon the adjournment of the Fifty-third General Assembly.

Sec. 5. The members of said commission who are coal mine owners and
2 coal miners, as aforesaid, shall receive no compensation for their services. The
3 remaining three members of the commission shall receive as compensation for
4 their services the sum of \$10.00 per day for each day actually employed by them
5 as such commissioners. All members of the said commission shall be reim-

6 bursed for their actual expenses incurred in and about the actual work of said
7 commission.

8 Said commission may appoint a stenographer or clerk and such other em-
9 ployees as are necessary and shall fix their compensation and may incur such
10 other expenses as are properly incidental to the work of the commission.

Sec. 6. The sum of seven thousand dollars (\$7,000.00) or so much thereof
2 as may be necessary is hereby appropriated for the postage, stationery, clerical
3 and expert services, and incidental traveling expenses of the commission, and
4 the per diem of members as herein authorized.

5 The Department of Public Works and Buildings is hereby authorized and
6 directed to provide all necessary printing for the mining investigating commis-
7 sion, and testimony taken by it shall be reported in full and may be published
8 from time to time by the commission.

Sec. 7. The appropriation herein made is subject to the provisions of "An
2 Act in Relation to State Finance", approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Smejkal, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act entitled, "An Act making an appropriation to the Auditor of Public
Accounts, and by declaring an emergency.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of Ninety-one Thousand
3 Five Hundred Dollars (\$91,500) be and the same is hereby appropriated to the
4 Auditor of Public Accounts, for constructing and equipping vaults, and remod-
5 eling and equipping office.

Sec. 2. The Auditor of Public Accounts is authorized to draw his warrants
2 upon proper vouchers for the amount above appropriated, or so much thereof
3 as may be necessary, and the Treasurer is authorized and directed to pay the
4 same out of any moneys in the State treasury not otherwise appropriated.

Sec. 3. Whereas, the sum hereby appropriated is immediately required,
2 therefore an emergency exists and this Act shall take effect from and after its
3 passage and approval.



- 1 Introduced by Mr. Tice, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the Department of Public Works and Buildings for making repairs and improvements at Starved Rock Park.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The sum of sixteen thousand dollars
3 (\$16,000) is appropriated to the Department of Public Works and Buildings for
4 the biennium ending June 30, 1923, for the purpose of making repairs and im-
5 provements at Starved Rock Park.

Sec. 2. Because of an emergency this bill shall take effect upon its passage.



1 Adopted April 12, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 420, as printed in the House by striking out in Section 1, line 2, after the words "some of," the word "sixteen" and insert in lieu thereof, the following word, "eight."

AMENDMENT NO. 2.

Amend House Bill No. 420, as printed in the House by striking out in Section 1, line 3, the following figures (\$16,000) and insert in lieu thereof, the following figures, (\$8,000.00).

AMENDMENT NO. 3.

Amend House Bill No. 420, as printed in the House by striking out all of Section 2 and inserting in lieu thereof the following: Sec. 2. The appropriations herein made are subject to the provisions of "An Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919.

Sec. 3. Because of an emergency this bill shall take effect upon its passage and approval.

AMENDMENTS TO

52d G. A. HOUSE BILL NO. 420 IN SENATE

1921



- 1 Offered by Committee on Appropriations, April 27, 1921.
- 2 Ordered printed.

AMENDMENT TO PRINTED HOUSE BILL NO. 420 IN (SENATE.

AMENDMENT NO. 1.

- Amend House Bill No. 420 in Senate, in Section 1, Lines 3 and 4, by striking out the words and figures: "for the biennium ending June 30, 1923."

AMENDMENT NO. 2.

- Amend House Bill No. 420 in Senate by striking out all of Section 2, and inserting in lieu thereof the following:
- "Section 2: This appropriation is subject to the provisions of 'An Act in relation to State Finance,' approved June 10, 1919, in force July 1, 1919."



- 1 Introduced by Mr. Mueller, March 16, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Sections 5, 6 and 13 of "An Act to provide for the creation and management of forest preserve districts, and repealing certain Acts therein named," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 5, 6 and 13 of "An Act to provide for the creation and management of forest preserve districts, and repealing certain Acts therein named," approved June 27, 1913, in force July 1, 1913, as amended, are amended to read as follows:

Sec. 5. Any forest preserve district organized under this Act, shall have the power to create forest preserves, and for that purpose shall have the power to acquire, in the manner hereinafter provided, and hold lands *heretofore or hereafter acquired*, for the purpose of protecting and preserving the flora, fauna and scenic beauties within such district, and to protect and preserve such lands, as nearly as may be, in their natural condition, for the purpose of the education, pleasure and recreation of the public.

Sec. 6. The board of commissioners of every such forest preserve district, shall have the power to acquire by gift, grant, devise or purchase, or by condemnation, any and all grounds within such district, for the purposes *expressed in the preceding section*, and also for the purpose of creating, laying out and maintaining such forest preserves as it may deem proper or desirable. Such board of commissioners shall have the power to establish, lay out, improve and maintain, such convenient and appropriate paths, driveways and roadways in and through such forest preserves, as they deem desirable or necessary for the use of such forest preserves by the public, *and also to establish and maintain in forest preserve aboretums, aquariums, zoological gardens, play grounds and other appropriate facilities for the use of the public. Such board of commissioners shall also have power to plant, set out, develop and maintain trees and forests on lands acquired for forest preserves.*

In all cases where any such forest preserve district acquires any land by condemnation, the title thereto shall be in fee simple absolute, and such title shall not terminate or be defeated by cessation or abandonment of the use for which it was acquired. The board of commissioners of any such forest preserve district may, by ordinance passed by the affirmative vote of *three-fourths* of the members of such board, sell and dispose of any lands acquired by such board. However, no *such* sale or disposal shall be effective until it is approved by the board of county commissioners or board of supervisors of the county in which such district is located.

Sec. 13. The board of commissioners of any forest preserve district, organized hereunder, shall have power to raise money by general taxation, for any of the purposes enumerated in this Act, and power to borrow money upon the faith and credit of such district and to issue bonds therefor: *Provided, however,* such district shall not become indebted in any manner or for any purpose, to an amount including existing indebtedness in the aggregate exceeding one per centum of the assessed value of the taxable property therein, as ascertained by

8 the last equalized assessment for State and county purposes. Before, or at the
9 time of issuing bonds, the board of commissioners shall provide, by ordinance,
10 for the collection of an annual tax sufficient to pay the interest on such bonds
11 as it falls due, and to pay such bonds as they mature, and said tax to so pay
12 the interest on said bonds as it falls due and to pay said bonds as they mature,
13 shall not be permitted to increase the taxing power of said district as herein
14 provided for. All bonds issued by any forest preserve district shall be divided
15 into series, the first of which shall mature not later than five years after the date
16 of issue, and the last of which shall mature not later than twenty years after the
17 date of issue.

18 All general taxes levied by the board of commissioners of any forest pre-
19 serve district, shall be levied at the same time and in the same manner as taxes
20 are levied for city and village purposes: *Provided*, that the amount of taxes
21 levied for any one year shall not exceed the rate of *two* mills on each dollar of
22 *the assessed value of the taxable property therein, as ascertained by the last*
23 *equalized assessment for State and county purposes.* All moneys collected under
24 the provisions of this Act, shall be paid to the treasurer of such district.

Sec. 2. Because of an emergency, this Act shall take effect upon its passage.



1 Adopted May 3, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 421, Section 5, lines 3 and 4; strike out the words "here-
2 tofore or hereafter acquired" and insert in place thereof the words "containing one or
3 more natural forests or parts thereof or land or lands connecting such forests or parts
4 thereof."

AMENDMENT NO. 2.

Amend House Bill No. 421, Section 6, line 18; strike out the words "of three-
2 fourth" and insert in line 19 after the word "of" the word "all" and insert after the
3 word "board" the words "but not for less than the District itself paid for the land to be
4 sold or to be disposed of: Provided, however, that in counties of the third class, if the
5 boundaries of the forest preserve district are co-terminous with the boundaries of such
6 county of the third class, the board of commissioners of such forest preserve district
7 may by ordinance passed by the affirmative vote of three-fourths of the members of
8 such board sell and dispose of any land acquired by such board." Add to Section 6
9 the following: "nothing contained herein shall prevent the board of commissioners of
10 any forest preserve district from dedicating land in the manner above described for
11 public purposes."

AMENDMENT NO. 3.

Amend House Bill No. 421, Section 13, in line 21; strike out the word "two" and
2 insert in place thereof the word "one" and strike out in same line the word "mills" and
3 insert in place thereof the word "mill."

AMENDMENT NO. 4.

Amend House Bill No. 421, as printed as follows: Section 6, line 3: Insert after

the words "such district" the words: "containing one or more natural forests or parts thereof or connecting such forests or parts thereof."

Line 8: Insert after the words "as they" the word "shall."

Line 9: Strike out after the word "and" the word "also."

Line 10: Insert after the word "in" the word "such."

Line 10: Strike out after the words "zoological garden" the words: "play grounds and" and insert in lieu thereof the words: "game and fish preserves, experiment stations and such other educational and recreational."

Line 11: Strike out the words "other appropriate," leave out the period after the word "public" and insert the words: "as may be consistent with the purposes of the Act."

Line 13: Leave out the period and insert the words: "for purposes of reforestation."

AMENDMENT NO. 5.

Amend House Bill No. 421 as printed, as follows: Section 13, line 8: Insert after

the period after the word "purposes" the following: "No such district shall, after having acquired thirty-five thousand acres of land, incur indebtedness or issue bonds, unless the proposition to issue bonds or otherwise incur such indebtedness shall have been first submitted to the legal voters of such district at a general election or at any special election called for such purpose and shall have been approved by a majority of those voting on the proposition."

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 421

1921



1 Adopted May 11, 1921.

AMENDMENT NO. 6.

Amend House Bill No. 421 by striking out all after the enacting clause and
2 inserting in lieu thereof the following:

3 Sections 5, 6 and 13 of "An Act to provide for the creation and manage-
4 ment of forest preserve districts, and repeal certain Acts therein named,"
5 approved June 27, 1913, in force July 1, 1913, as amended, are amended to read
6 as follows:

Sec. 5. Any forest preserve district organized under this Act, shall have
2 the power to create forest preserves, and for that purpose shall have the power
3 to acquire in the manner hereinafter provided, and hold lands containing one
4 or more natural forests or parts thereof *or land or lands connecting such forests*
5 *or parts thereof*, for the purpose of protecting and preserving the flora, fauna
6 and scenic beauties within such district, and to protect and preserve such lands,
7 as nearly as may be, in their natural condition, for the purpose of the educa-
8 tion, pleasure and recreation of the public.

Sec. 6. The board of commissioners of every such forest preserve district,
2 shall have the power to acquire by gift, grant, devise or purchase, or by con-
3 demnation, any and all grounds and lands within such district containing one
4 or more natural forests or parts thereof *or land or lands connecting such for-*
5 *ests or parts thereof* for the purpose of creating, laying out and maintaining

6 such forest preserves as it may deem proper or desirable. Such board of com-
 7 missioners shall have the power to establish, lay out, improve and maintain, such
 8 convenient and appropriate paths, driveways and roadways in and through such
 9 forest preserves, as they shall deem desirable or necessary for the use of such
 10 forest preserves by the public.

11 In all cases where any such forest preserve district acquires any land by
 12 condemnation, the title thereto shall be in fee simple absolute, and such title shall
 13 not terminate or be defeated by cessation or abandonment of the use for which
 14 it was acquired. The board of commissioners of any such forest preserve dis-
 15 trict may, by ordinance passed by the affirmative vote of all of the members of
 16 such board, sell and dispose of any lands acquired by uch board. However, no
 17 *such* sale or disposal shall be effective until it is approved by the board of county
 18 commissioners or board of supervisors of the county in which such district is
 19 located: *Provided, however, that in counties of the third class if the boundaries*
 20 *of the forest preserve district are co-terminous with the boundaries of such*
 21 *county of the third class, the board of commissioners of such forest preserve*
 22 *district may by ordinance passed by the affirmative vote of three-fourths of the*
 23 *members of such board sell and dispose of any land acquired by such board.*
 24 *But nothing in this section contained shall authorize a sale of land for less than*
 25 *the district itself paid for the land to be sold or disposed of nor shall anything*
 26 *in this section contained prevent the board of commissioners of any forest pre-*
 27 *serve district from dedicating land for public purposes for the same procedure*
 28 *and vote as is herein provided for the sale of land.*

Sec. 13. The board of commissioners of any forest preserve district, organ-
 2 ized hereunder, shall have power to raise money by general taxation, for any of
 3 the purposes enumerated in this Act, and power to borrow money upon the faith
 4 and credit of such district, and to issue bonds therefor: *Provided, however,*
 5 Such district shall not become indebted in any manner or for any purpose, to an
 6 amount including existing indebtedness in the aggregate exceeding one per

7 centum of the assessed value of the taxable property therein, as ascertained
8 by the last equalized assessment for State and county purposes. *No such district*
9 *shall, after having acquired thirty-five thousand acres of land, incur indebtedness*
10 *or issue bonds, unless the proposition to issue bonds or otherwise incur such in-*
11 *debtedness shall have been first submitted to the legal voters of such district at*
12 *a general election or at any special election called for such purpose and shall*
13 *have been approved by a majority of those voting for the proposition. Before*
14 *or at the time of issuing bonds, the board of commissioners shall provide by*
15 *ordinance, for the collection of any annual tax sufficient to pay the interest on*
16 *such bonds as it falls due, and to pay such bonds as they mature and said tax*
17 *to so pay the interest on said bonds as it falls due and to pay said bonds as they*
18 *mature, shall not be permitted to increase the taxing power of said district as*
19 *herein provided for. All bonds issued by any forest preserve district shall be*
20 *divided into series, the first of which shall mature not later than five years*
21 *after the date of issue, and the last of which shall mature not later than twenty*
22 *years after the date of issue.*

23 All general taxes levied by the board of commissioners of any forest pre-
24 serve district shall be levied at the same time and in the same manner as taxes
25 are levied for city and village purposes: *Provided, that the amount of taxes*
26 *levied for any one year shall not exceed the rate of one mill on each dollar of*
27 *the assessed value of the taxable property therein, as ascertained by the last*
28 *equalized assessment for State and county purposes. All moneys collected*
29 *under the provisions of this Act, shall be paid to the treasurer of such district.*

Sec. 2. Because of an emergency, this Act shall take effect upon its passage.



1 Adopted May 24, 1921.

1 Adopted as further amended, May 24, 1921.

AMENDMENT NO. 6 AS AMENDED.

Amend House Bill No. 421 by striking out all after the enacting clause and
2 inserting in lieu thereof the following:

3 Sections 5, 6 and 13 of "An Act to provide for the creation and manage-
4 ment of forest preserve distdicts, and repeal certain Acts therein named,"
5 approved June 27, 1913, in force July 1, 1913, as amended, are amended to read
6 as follows:

Sec. 5. Any forest preserve district organized under this Act, shall have
2 the power to create forest preserves, and for that purpose shall have the power
3 to acquire in the manner hereinafter provided, and hold lands containing one
4 or more natural forests or parts thereof *or land or lands connecting such forests*
5 *or parts thereof*, for the purpose of protecting and preserving the flora, fauna
6 and scenic beauties within such district, and to protect and preserve such lands,
7 as nearly as may be, in their natural condition, for the purpose of the educa-
8 tion, pleasure and recreation of the public.

Sec. 6. The board of commissioners of every such forest preserve district,
2 shall have the power to acquire by gift, grant, devise or purchase, or by con-
3 demnation, any and all grounds and lands within such district containing one
4 or more natural forests or parts thereof *or land or lands connecting such for-*

5 *ests or parts thereof* for the purpose of creating, laying out and maintaining
 6 such forest preserves as it may deem proper or desirable. Such board of com-
 7 missioners shall have the power to establish, lay out, improve and maintain, such
 8 convenient and appropriate paths, driveways and roadways in and through such
 9 forest preserves; as they shall deem desirable or necessary for the use of such
 10 forest preserves by the public.

11 In all cases where any such forest preserve district acquires any land by
 12 condemnation, the title thereto shall be in fee simple absolute, and such title shall
 13 not terminate or be defeated by cessation or abandonment of the use for which
 14 it was acquired. The board of commissioners of any such forest preserve dis-
 15 trict may, by ordinance passed by the affirmative vote of all of the members of
 16 such board, sell and dispose of any lands acquired by such board. However, no
 17 *such* sale or disposal shall be effective until it is approved by the board of county
 18 commissioners or board of supervisors of the county in which such district is
 19 located: *Provided, however, that in counties of the third class if the boundaries*
 20 *of the forest preserve district are co-terminous with the boundaries of such*
 21 *county of the third class, the board of commissioners of such forest preserve*
 22 *district may by ordinance passed by the affirmative vote of three-fourths of the*
 23 *members of such board sell and dispose of any land acquired by such board.*
 24 *But nothing in this section contained shall authorize a sale of land for less than*
 25 *the district itself paid for the land to be sold or disposed of, nor shall anything*
 26 *in this section contained prevent the board of commissioners of any forest pre-*
 27 *serve district from dedicating land for public purposes for the same procedure*
 28 *and vote as is herein provided for the sale of land.*

Sec. 13. The board of commissioners of any forest preserve district, organ-
 2 ized hereunder, shall have power to raise money by general taxation, for any of
 3 the purposes enumerated in this Act, and power to borrow money upon the faith
 4 and credit of such district, and to issue bonds therefor: *Provided, however,*
 5 Such district shall not become indebted in any manner or for any purpose, to an

6 amount including existing indebtedness in the aggregate exceeding one per
7 centum of the assessed value of the taxable property therein, as ascertained
8 by the last equalized assessment for State and county purposes. Before or
9 at the time of issuing bonds, the board of commissioners shall provide by
10 ordinance, for the collection of any annual tax sufficient to pay the interest on
11 such bonds as it falls due, and to pay such bonds as they mature and said tax
12 to so pay the interest on said bonds as it falls due and to pay said bonds as they
13 mature, shall not be permitted to increase the taxing power of said district as
14 herein provided for. All bonds issued by any forest preserve district shall be
15 divided into series, the first of which shall mature not later than five years
16 after the date of issue, and the last of which shall mature not later than twenty
17 years after the date of issue.

18 All general taxes levied by the board of commissioners of any forest pre-
19 serve district shall be levied at the same time and in the same manner as taxes
20 are levied for city and village purposes: *Provided*, that the amount of taxes
21 levied for any one year shall not exceed the rate of *one* mill on each dollar of
22 *the assessed value of the taxable property therein, as ascertained by the last*
23 *equalized assessment for State and county purposes.* All moneys collected under
24 the provisions of this Act shall be paid to the treasure of such district.



- 1 Introduced by Mr. Scanlan, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Sections 1 and 3 of an Act entitled, “An Act concerning the business of casualty insurance”, approved April 21, 1899, in force July 1, 1899, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 1 and 3 of an Act entitled, “An Act concerning the business of casualty insurance”, approved April 21, 1899, in force July 1, 1899, as amended, are amended to read as follows:

Sec. 1. Any number of persons, not less than thirteen,, may, in the manner hereinafter prescribed, form a corporation for the purpose of issuing policies for any of the following kinds of insurance business:

First—Insuring any persons against bodily injury, disablement or death resulting from accident, and providing benefits for disability caused by disease.

Second—Insuring against loss or damage resulting from accident to, or injury suffered by, an employee or other person for which accident or injury the person insured is liable.

9 Third—To guarantee or indemnify merchants, traders and all others en-
 10 gaged in business and giving credit therein from loss or damage by reason of
 11 giving or extending credit to their customers.

12 Fourth—Against loss by burglary or theft or both.

13 Fifth—Upon plate glass breakage.

14 Sixth—Upon steam boilers and pipes, engines and machinery connected
 15 therewith or operated thereby; against explosion and accident and loss or dam-
 16 age to life or property resulting therefrom and to make inspection of and to issue
 17 certificates of inspection upon such boilers and pipes, engines and machinery;
 18 also upon elevators and machinery forming a part thereof and to make inspec-
 19 tion and to issue certificates of inspection upon the same.

20 Seventh—*Insuring against any hazard resulting from the ownership, main-*
 21 *tenance or use of any automobile or other vehicle.*

22 Eighth—Against any other casualty or insurance risk specified in the arti-
 23 cles of organization, which may lawfully be the subject of insurance and the for-
 24 mation of corporations for insuring against which is not otherwise provided for
 -25 by these statutes.

Sec. 3. No such corporation, for any of the purposes specified in this Act,
 2 shall do business with a capital stock of less than \$100,000 fully paid in, in cash,
 3 with an additional \$50,000, fully paid in, in cash, for every kind of insurance,
 4 more than one, which it is authorized to do; *provided*, that it may not do the busi-
 5 ness named in subdivision two (2) or seven (7) of Section 1 hereof, on a capital
 6 of less than \$200,000, fully paid in, in cash. Before any corporation commences
 7 business, its whole capital must be invested in such class of securities as are per-
 8 mitted by the laws of this State applying to life insurance companies; at least
 9 \$100,000 worth of such securities aforesaid, approved by the Director of Trade
 10 and Commerce, shall be duly made or assigned to him, in trust for the purpose
 11 hereinafter mentioned.

12 Said director of Trade and Commerce shall hold such securities for the ben-
 13 efit and protection of the policy holders of the corporations, and so long as any

14 such corporation continues solvent shall permit it to collect the interest of divi-
15 dends thereon, and from time to time withdraw such securities, or any part
16 thereof, on depositing with said Director of Trade and Commerce other securi-
17 ties of the kind heretofore named and of equal value with those withdrawn. If
18 such company shall at any time cause all of its unexpired policies to be paid or
19 cancelled, and all its liabilities under such policies thereby be extinguished, then
20 the Director of Trade and Commerce, on application of such company, under
21 oath of its president or secretary, on satisfying him, by examination of its
22 books and its officers, under oath, that all of its policies are so paid, cancelled or
23 extinguished, shall deliver up to it such securities; *provided*, that companies
24 formed for the purpose of insuring live stock against death from any cause, in-
25 jury or theft, shall only be required to have a subscribed capital of one hundred
26 thousand dollars (\$100,000), of which fifty thousand dollars (\$50,000) shall be
27 paid in, in cash, and shall only be required to make a deposit of twenty-five
28 thousand dollars (\$25,000) with the Director of Trade and Commerce before it
29 shall commence business. But no such company shall expose itself to loss on
30 any risk or hazard to an amount exceeding five per cent of its paid up capital,
31 unless the excess shall be reinsured in some other responsible and reliable com-
32 pany authorized to transact business in this State.



- 1 Introduced by Mr. Scanlan, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 21 of an Act entitled, "An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869, and as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That Section 21 of an Act entitled, "An Act to incorporate and to govern fire, marine and inland navigation insurance companies doing business in the State of Illinois," approved and in force March 11, 1869, and as subsequently amended, be further amended to read, as follows:*

Sec. 21. *Every company organized or doing business under this Act shall, on or before the first day of March each year, transmit to the Director of Trade and Commerce, and file in his office a statement of its business standing and affairs in such form as shall be prescribed by the Director, adapted to the business done by such company, signed and sworn to by the president or vice-presi-*

6 *dent and secretary or manager, and made out for the year ending on the preced-*
 7 *ing thirty-first day of December.*

8 It shall be the duty of the Director of Trade and Commerce to establish a
 9 classification of risks into any number of classes, not less than four, according
 10 to the degree of hazard of such risks; and the Director of Trade and Commerce
 11 shall require said companies, as a part of the aforementioned statement, to give
 12 the number of policies in force covering property embraced in each of said
 13 classes, and the aggregate amount at risk upon property in each class.

14 The Director of Trade and Commerce is hereby authorized and empowered
 15 to address any inquiries to any insurance company, or the secretary or manager
 16 thereof, in relation to its doings or condition, or any other matter connected with
 17 its transactions; and it shall be the duty of any company so addressed to
 18 promptly reply, in writing, to any such inquiries.

19 The statement of any company, the capital of which is composed in whole
 20 or in part of notes, shall, in addition to the foregoing, exhibit the amount of
 21 notes originally forming the capital, and also what proportion of said notes is
 22 still held by such company and considered capital. The statements herein pro-
 23 vided for shall be in lieu of any and all statements now required by any existing
 24 law; and the several provisions of the Acts approved February 14, 1855, and
 25 January 22, 1857, are hereby repealed.

26 Every insurance company organized under any law of this State, failing to
 27 make and deposit such statements, or to reply to any inquiry of the said Director
 28 of Trade and Commerce, shall be subject to the penalty of five hundred dollars
 29 (\$500), and an additional five hundred dollars (\$500) for every month that such
 30 company shall continue thereafter to transact any business of insurance.

31 It shall be the duty of the Director of Trade and Commerce to cause to be
 32 prepared and furnished to each of the companies, and to the attorneys of com-
 33 panies incorporated by other States and foreign governments, printed forms of
 34 the statements required by this Act; and he may, from time to time, make such

35 'changes in the form of such statements as shall seem to him best adapted to
36 elicit from the companies a true exhibit of their condition in respect to the sev-
37 eral points hereinbefore mentioned. It shall be the duty of the Director of Trade
38 and Commerce to cause the information contained in the statements required by
39 this section to be arranged in a tabular form and printed in his biennial report.



- 1 Introduced by Mr. Scanlan, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act concerning the business of reciprocal or interinsurance.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the word “Exchange” when used in
3 this Act, shall mean the office of the Attorney-in-Fact, being the place where the
4 contracts of indemnity are issued; that the word “Subscriber” when used in
5 this Act shall mean the participant or policyholder; that the words “Attorney-
6 in-Fact” when used in this Act shall mean the representative of the Subscriber.

Sec. 2. Individuals, partnerships and corporations of this State, herein
2 designated “Subscribers,” are hereby authorized to exchange Reciprocal or
3 Interinsurance contracts with each other, or with individuals, partnerships and
4 corporations of other states and countries, providing indemnity among them-
5 selves as follows:

6 First—Against any loss which may be insured against under other provi-
7 sions of the law relating to fire, lightning, hail, windstorm, use and occupancy
8 or sprinkler leakage insurance, or any variety thereof.

9 Second—Against loss, expense or liability, by reason of bodily injury, death
10 by accident, disability, sickness or disease suffered by others for which the in-
11 sured may be liable, or have assumed liability, including Workmen's Compens-
12 sation Insurance as provided for the Workmen's Compensation Law of this
13 State and against loss under any and all classes of Automobile insurance.

14 Third—Upon glass against breakage.

15 Such contracts, and the exchange thereof, and such subscribers, their
16 Attorneys-in-Fact and representatives, shall be regulated by this Act and by no
17 other law relating to insurance unless such law is referred to in this Act, and
18 no law hereafter enacted shall apply to them unless they be expressly desig-
19 nated therein.

Sec. 3. Such contracts may be executed by an Attorney-in-Fact, duly author-
2 ized and acting for such subscribers, and such Attorney-in-Fact may be a corpor-
3 ation. The office or offices of such Attorney-in-Fact may be maintained at such
4 place or places as may be designated by the subscribers in the Power of Attor-
5 ney. Such Attorney shall file with the Director of Trade and Commerce of this
6 State a declaration verified by the oath of such Attorney, or where such Attor-
7 ney is a corporation, by the oath of a chief officer thereof, setting forth:

8 (a) The name of the Attorney-in-Fact and the name of the designation
9 under which such contracts are to be issued, which name or designation shall
10 not be so similar to any other name or designation adopted by any Attorney-in-
11 Fact or by any insurance organization in this State prior to the adoption of such
12 name or designation by such Attorney-in-Fact, as to confuse or deceive.

13 (b) The kind or kinds of insurance to be effected or exchanged.

14 (c) A copy of the form of Policy Contract or Agreement under or by
15 which such insurance is to be effected or exchanged.

16 (d) A copy of the form of Power of Attorney or other authority of such
17 Attorney-in-Fact under or by which such insurance is to be effected or ex-
18 changed, which shall contain the entire contract between the Attorney-in-Fact
19 and the subscriber.

20. (e) Location of the office or offices from which such contracts or agree-
21 ments are to be issued. Where the principal office of the Attorney-in-Fact is
22 located in another state, there shall also be filed a certificate from the Insurance
23 Department of such State showing compliance with and authorization under the
24 laws of such State.

Sec. 4. Upon the filing of the said documents mentioned in Section 3 hereof,
2 if they be in proper form, the Director of Trade and Commerce shall issue his
3 certificate of approval, which shall be authority for the Attorney-in-Fact or any
4 person representing him to solicit subscribers at the Exchange, but no policies
5 of insurance shall be issued until the provisions hereinafter required have been
6 complied with.

Sec. 5. Before any license shall be issued to any Attorney-in-Fact to do
2 the kinds of business mentioned in the first sub-division of Section 2 of this Act,
3 there shall have been procured applications from at least Twenty-five (25) sub-
4 scribers upon at least Fifty (50) separate risks, aggregating not less than Two
5 Hundred Thousand Dollars (\$200,000.00) of insurance applied for, and there
6 shall also have been collected from the subscribers signing such applications,
7 advance deposits of at least the amount of the maximum risk to be assumed at
8 the Exchange, and in no event to be less than Ten Thousand Dollars
9 (\$10,000.00); and to do the business as provided for in sub-division 2 of Sec-
10 tion 2 of this Act, relating to Employers' Liability or Workmen's Compensation
11 Insurance, there shall be applications on hand for indemnity from not less than
12 Twenty-five (25) subscribers carrying an aggregate pay roll covering not less
13 than One Thousand (1,000) employees and showing an annual pay roll of not
14 less than One Million Dollars (\$1,000,000.00); and there shall have been collected
15 from applicants as advance deposits, a sum of not less than Twenty-five Thou-
16 sand Dollars (\$25,000.00); and to write the different classes of automobile insur-
17 ance also hereinabove provided for in sub-division 2 of Section 2, there shall
18 have been received applications from at least Three Hundred (300) subscribers,

19 and there shall have been collected and on hand by the Attorney-in-Fact an
20 amount equal to the maximum risk assumed at the Exchange and in no event
21 to be less than Ten Thousand Dollars (\$10,000.00); and to transact all of the
22 kinds of insurance provided for in sub-division 2 of Section 2 of this Act, there
23 shall have been collected from applicants as advance deposits a sum of not less
24 than Twenty-five Thousand Dollars (\$25,000.00). To do the kinds of business
25 provided for in sub-division 3 of Section 2 of this Act, applications shall have
26 been procured from at least Twenty-five (25) subscribers covering not less than
27 Two Hundred (200) risks, aggregating not less than One Hundred Thousand
28 Dollars (\$100,000.00), and there shall have been collected from the applicants
29 advance deposits of at least the amount of the maximum risk to be assumed at
30 the Exchange.

Sec. 6. Upon the Attorney-in-Fact presenting to the Director of Trade and
2 Commerce evidence sufficient to satisfy him that the provisions of the foregoing
3 Sections have been complied with, and filing with the Department of Trade and
4 Commerce an appointment designating the Director of Trade and Commerce
5 to accept and acknowledge service of process for the subscribers at the
6 Exchange, then the Director of Trade and Commerce shall issue a license to the
7 Attorney-in-Fact authorizing him, in the name of the subscribers at said
8 Exchange, to issue Policy Contracts to said subscribers. Any certificate of
9 authority issued hereunder shall continue in force and effect until a new certifi-
10 cate of authority is issued or specifically refused.

Sec. 7. There shall at all times be maintained as a reserve, assets in cash
2 or convertible securities authorized by the laws of the State in which the princi-
3 pal office of the Exchange is located for the investment of funds of insurance
4 companies doing the same kind of business, equal to fifty per cent (50%) of
5 aggregate net annual advance deposits collected and credited to the accounts
6 of subscribers on policies having one (1) year or less to run, and pro rata on
7 those for longer periods, or in lieu thereof, one hundred per centum (100%) of

8 the net unearned deposits collected and credited to the accounts of Subscribers.
9 For the purpose of said reserve, net annual deposits shall be construed to
10 mean the advance payments of Subscribers after deducting therefrom the
11 amounts specifically provided in Subscribers' Agreements for expenses and
12 reinsurance; and provided, that Exchanges doing the kinds of business as men-
13 tioned in Sub-division 2 of Section 2 of this Act, shall also be required to main-
14 tain such other reserves as are required of stock and mutual companies doing a
15 similar business, and provided further that in estimating the financial condition
16 of any Exchange there shall be allowed as admitted assets, assessments actually
17 levied and in process of collection not over Sixty (60) days due.

Sec. 8. Any Exchange authorized to transact the kinds of insurance de-
2 scribed under Sub-section 1 of Section 2 of this Act, shall not be authorized to
3 transact any of the kinds of insurance described under Sub-sections 2 and 3,
4 except as may be otherwise permitted in the case of stock or mutual fire insur-
5 ance companies or associations writing these kinds of insurance; nor shall any
6 Exchange authorized to transact the kinds of insurance described in Sub-sec-
7 tions 2 and 3 of Section 2 of this Act, be authorized to transact the kinds of
8 insurance described under Sub-section 1 of Section 2, except as may be other-
9 wise provided in said Sub-section 2. Any Exchange authorized to transact the
10 kinds of insurance described in Sub-sections 2 and 3 of Section 2 of this Act,
11 may be authorized to transact any or all of the kinds described under said
12 Sub-sections provided it holds the assets required under Section 5 hereof.

Sec. 9. The Director of Trade and Commerce may make or cause to be
2 made an examination of the condition and affairs of any Exchange organized
3 under this Act having its principal office in this State whenever he shall deem
4 it necessary, and all the expenses of such examination shall be paid by the
5 exchange so examined.

Sec. 10. Such Attorney-in-Fact shall make an annual report to the Director
2 of Trade and Commerce for each calendar year, in such form as shall be pro-

3 vided for by the Director of Trade and Commerce, which report shall be made
 4 on or before March 1 for the previous calendar year ending December 31, show-
 5 ing the financial condition of affairs at the office of the Exchange and in accord-
 6 ance with the provisions of this Act, and shall furnish such additional informa-
 7 tion and reports as may be required by the Director of Trade and Commerce;
 8 provided, however, that the Attorney-in-Fact shall not be required to furnish the
 9 names and addresses of any subscribers.

Sec. 11. Any Attorney-in-Fact who shall fail to file the annual report as
 2 provided for in the foregoing section shall be estopped from issuing any policy
 3 contracts at the exchange and a violation of the provisions of this section, shall
 4 constitute a misdemeanor and upon conviction thereof, said Attorney-in-Fact
 5 shall be subject to a fine of not to exceed One Hundred (\$100.00) Dollars.

Sec. 12. All exchanges heretofore licensed or doing the kinds of business
 2 provided for in this Act shall be brought within the provisions of this Act and
 3 failure to comply with its provisions shall subject the Attorney-in-Fact oper-
 4 ating the exchange to a fine of not less than One Hundred Dollars (\$100.00)
 5 nor more than Five Hundred Dollars (\$500.00) to be recovered in a suit brought
 6 by the Attorney General of this State in the name of the People of the State
 7 of Illinois.

Sec. 13. The right to exchange insurance contracts of the kind and char-
 2 acter mentioned is hereby declared to be incidental to the purposes for which
 3 domestic corporations are organized, and as fully granted as the rights and
 4 powers expressly conferred.

Sec. 14. Action may be brought against all subscribers in the county in
 2 which the cause of action arises or where the claimant resides, and service of
 3 process may be had upon the Attorney-in-Fact or the Director of Trade and
 4 Commerce in all suits in this State arising out of such Policies, Contracts or
 5 Agreements, which service shall be valid and binding upon all subscribers ex-

6 changing at any time such contracts of indemnity upon the Reciprocal or Inter-
7 insurance plan through such Attorney, and service of process procured against
8 any subscriber in any other manner shall not be legal.

Sec. 15.- When summons is served upon the Director of Trade and Com-
2 merce as agent for subscribers at any exchange, he shall immediately notify
3 the Attorney-in-Fact enclosing said summons, by registered mail, giving the
4 hour and day of said service.

Sec. 16. Within six months after the taking effect of this Act, the Attor-
2 ney-in-Fact of all exchanges now authorized to do business in the State, shall
3 accumulate and keep on hand at all times advance deposits in excess of liabilities
4 at the exchange, in accordance with the kinds of business transacted, in the
5 amounts as follows: If authorized to do the business described in sub-division One
6 or Three of Section Two, Twenty-five Thousand Dollars (\$25,000.00); and if
7 authorized to write Employers' Liability or Workmen's Compensation insur-
8 ance, Fifty Thousand Dollars (\$50,000.00); and if authorized to do only Auto-
9 mobile or Public Liability insurance, Twenty-five Thousand Dollars (\$25,000.00).
10 If upon examination or otherwise, it shall appear that the amount of funds re-
11 quired in this section has not been accumulated by the Attorney-in-Fact, then
12 the subscribers or the Attorney-in-Fact for them shall immediately advance
13 such sums as are needed to comply with the provisions of this section and the
14 funds so advanced shall not be treated as a liability at such exchange, nor shall
15 such advances be repaid only out of the surplus funds of the exchange. All
16 exchanges hereafter authorized to do business under the provisions of this Act
17 shall within six months from the date of license meet the requirements of this
18 section.

Sec. 17. The following fees shall be paid to the Director of Trade and Com-
2 merce in the organization and operation of exchanges under the provisions of
3 this Act: For filing preliminary papers and issuing certificate of approval,

4 Ten Dollars (\$10.00); for issuing license, Five Dollars (\$5.00); for filing annual
 5 statement, Ten Dollars (\$10.00); for each certificate of authority, One Dollar
 6 (\$1.00).

Sec. 18. Whenever the existing or future laws of any other State shall re-
 2 quire of exchanges organized under the laws of this State any deposit of securi-
 3 ties in such State for the protection of policyholders or otherwise or any pay-
 4 ment for taxes, fines, penalties, certificates of authority, license fees or other-
 5 wise, greater than the amount required for such purpose from similar exchanges
 6 of other States by the then existing laws of this State, then and in every such
 7 case all exchanges of such State establishing or having heretofore established an
 8 agency or agencies in this State shall be and are hereby required to make the
 9 same deposit for a like purpose with the Director of Trade and Commerce of
 10 this State, and to pay the Director of Trade and Commerce of this State for
 11 taxes, fines, penalties, certificates of authority, license fees and otherwise, an
 12 amount equal to the amount of such charges and payments imposed by the laws
 13 of such state upon the exchanges of this State and the agents thereof, provided,
 14 that the payment required of such exchanges shall in no case be less than re-
 15 quired by this Act.

Sec. 19. Exchanges having their ecentral offices in other states, doing the
 2 kind or kinds of business provided for in this Act, shall be admitted to do busi-
 3 ness in this State when they have complide with all the requirements of this Act
 4 applicable to exchanges with central offices in this State.

Sec. 20. If the Attorney-in-Fact of any exchange shall refuse or neglect to
 2 pay any valid judgment rendered against the subscribers at said exchange with-
 3 in thirty (30) days after said judgment has been made final, then the Director of
 4 Trade and Commerce shall revoke his authority to do business in this State if
 5 such Attorney-in-Fact be the representative of an exchange with central office in
 6 another State; but if he be a representative of an exchange with central office in

7 this State, then the Director of Trade and Commerce shall report the same to
8 the Attorney General of this State with a request that an injunction be obtained
9 restraining said Attorney-in-Fact from further operation of said exchange,
10 and the court on granting such injunction may also appoint a receiver to take
11 charge of the assets of the subscribers of the exchange and wind up its affairs.

Sec. 21. Any person who shall in this State engage in the business contemplated in this Act, or any variety thereof, without complying with the requirements hereof, shall be subject to a penalty of not less than five hundred dollars (\$500.00) nor more than one thousand dollars (\$1,000.00), and the policy contract written or risk assumed shall be deemed a violation hereof.

Sect. 22. The penalty provided for in Section 21 shall be recoverable in the name of the People of the State of Illinois, in an action of debt, upon the information of the Director of Trade and Commerce of this State or the State's Attorney of the county in which the violation occurs, and upon any conviction under this Act, the court shall, as a part of the judgment, order that the defendant be committed to the common jail of the county until the fine and costs are paid, such commitment not to exceed thirty (30) days.

Sec. 23. The Attorney-in-Fact may insert in any form of policy prescribed by the laws of this State, any provisions or conditions required by the plan of Reciprocal insurance; provided the same shall not be inconsistent or in conflict with the laws of this State. Such policies in lieu of conforming with the language and form prescribed by such law, shall be held to conform thereto in substance if such policy includes a provision or endorsement reciting that the policy shall be construed as if in the language and form prescribed by such law. Any such endorsement shall first be filed with the Director of Trade and Commerce.

Sec. 24. Any exchange operating in this State may consolidate with or reinsure its entire business in another exchange. If the principal office of an exchange entering into such contracts of consolidation or of reinsurance is

4 located in this State, the contract for such consolidation or reinsurance shall be
5 submitted to and approved by the Director of Trade and Commerce of this State
6 before becoming effective.

Sec. 25 That Section 131 $\frac{1}{2}$ of an Act entitled, "An Act to provide for the
2 organization and management of mutual corporations for the purpose of fur-
3 nishing insurance and indemnity against loss or liability to members in conse-
4 quence of accidents or casualties to any employee, person or persons, occurring
5 in or connected with the business of members thereof, and to control such corpor-
6 ations of this State and other States doing business in this State, and providing
7 and fixing the punishment for violation thereof," approved May 16, 1905, in
8 force July 1, 1905; and all the provisions of "An Act to regulate and control
9 insurance against loss or damage by fire, lightning, hail, windstorm and sprinkler
10 leakage by partnerships, associations, individuals or aggregations of individuals
11 not now authorized to do business in this State and prescribing the penalty for
12 violation thereof," approved May 31, 1911, and in force July 1, 1911, in conflict
13 herewith and each of them is hereby repealed.

Sec. 26. That should any section or provision of this Act be decided by the
2 courts to be unconstitutional or invalid, the validity of the Act as a whole or of
3 any part thereof other than the part decided to be unconstitutional shall not be
4 affected.



1 Adopted April 28, 1921.

AMENDMENT NO. 2.

Amend printed House Bill No. 424, on page 5, in Section 7, line 17, by striking the words and figures "sixty (60)" and inserting in lieu thereof "ninety (90)."

AMENDMENT NO. 3.

Amend House Bill No. 424, page 2, Section 2, line 19, by adding after the word "therein" the following: "provided, that the Industrial Commission of the State of Illinois shall have the power and authority to regulate, supervise and examine said Exchanges pursuant to the terms and provisions of the Workmen's Compensation Act, and the Acts amendatory thereof, and pursuant to the rules and regulations of the said Commission."

AMENDMENT NO. 4.

Amend House Bill No. 424, page 5, Section 7, lines 12 and 13, by striking out the words: "doing the kinds of businesses as mentioned in Sub-division 2 of Section 2 of this Act" and by inserting in lieu thereof, the following: "Which insure subscribers under or which carry risks under the Workmen's Compensation Act."



1 Introduced by Mr. Young, March 17, 1921.

2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 3, 32, 155 and 163 of "An Act for the assesment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended, to add Sections 29e, 29f, 29g and 29h thereto, and to repeal Section 33 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 3, 32, 155 and 163 of "An Act
3 for the assesment of property and for the levy and collection of taxes," ap-
4 proved March 30, 1872, in force July 1, 1872, as amended, are amended, and Sec-
5 tions 29e, 29f, 29g and 29h are added thereto, the amended and added sections to
6 read as follows:

Sec. 3. Personal property shall be valued as follows:

2 First: All personal property, except as herein otherwise directed, shall be
3 valued at its fair cash value.

4 Second: Every credit for a sum certain, payable either in money or labor,
5 shall be valued at a fair cash value, for the sum so payable if for any article of

6 property, or for labor or services of any kind, it shall be valued at the current
7 price of such property, labor or service.

8 Third: Annuities and royalties shall be valued at their then present value.

9 Fourth: The capital stock of all companies and associations now or hereaf-
10 ter created under the laws of this State, shall be so valued by the State *Tax*
11 *Commission* as to ascertain and determine respectively, the fair cash value of
12 such capital stock, including the franchise over and above the assessed value of
13 the tangible property of such company or association, such *commission* shall
14 adopt such rules and principles for ascertaining the fair cash value of such capital
15 stock as to it may seem equitable and just, and such rules and principles when
16 so adopted, if not inconsistent with this Act, shall be as binding and of the same
17 effect as if contained in this Act, subject, however, to such change, alteration
18 or amendment as may be found from time to time, to be necessary by said *com-*
19 *mission*; *Provided*, that in all cases where the tangible property or capital stock
20 of any company or association is assessed under this Act, the shares of capital
21 stock of such company or association shall not be assessed or taxed in this State.
22 This clause shall not apply to the capital stock, or shares of capital stock of
23 banks organized under the general banking laws of this State or under any spe-
24 cial charter heretofore granted by the Legislature of this State.

Sec. 29e. *In the office of every such mutual building, loan and homestead*
2 *association, there shall be kept at all times a full and correct list of the names*
3 *and residences of its stockholders, and of the number of shares held by each;*
4 *which list shall be subject to the inspection of the officers authorized to assess*
5 *property for taxation; and it shall be the duty of the assessor to ascertain and*
6 *report to the county clerk a correct list of the names and residences of all stock-*
7 *holders in any such association, with the number and assessed value of all such*
8 *shares held by each stockholder.*

Sec. 29f. *The county clerk, to whom such returns are made, shall enter the*
2 *valuation of such shares in the tax lists, in the names of the respective owners*

of the same, if not already listed, and shall compute and extend taxes thereon the same as against the valuation of other property in the same locality.

Sec. 29g. The collector of taxes, and the officer or officers authorized to receive taxes from the collector, may, all or either of them, have an action to collect the tax assessed on any share or shares of such stock from the avails of the sale of such share or shares; and the tax against such share or shares shall be a lien thereon until the payment of said tax.

Sec. 29h. For the purpose of collecting such taxes, it shall be the duty of every such association, or the managing officer or officers thereof, to retain so much of any dividend or dividends belonging to such stockholders as shall be necessary to pay any taxes levied upon their shares of stock, respectively, until it shall be made to appear to such association or its officers that such taxes have been paid; and any officer of any such association who shall pay over or authorize the paying over of any such dividend or dividends, or any portion thereof, contrary to the provisions of this section, shall thereby become liable for such tax; and if the said tax shall not be paid, the collector of taxes where said association has its principal office shall sell said share or shares to pay the same, like other personal property. And in case of sale, the provisions of law in regard to the transfer of stock when sold on execution, shall apply to such sale.

Sec. 32. Every corporation incorporated under the laws of this State shall make out and deliver to the Tax Commission, on or before June 1st of each year, a sworn statement of the amount of its capital stock, setting forth particularly:

First—The name and location of the company or association.

Second—The amount of capital stock authorized, and the number of shares into which such capital stock is divided.

Third—The amount of capital stock paid up.

Fourth—the market value, or if no market value, then the actual value of the shares of stock.

10 Fifth—The total amount of all indebtedness, except the indebtedness for
 11 current expenses, excluding from such expenses the amount paid for the pur-
 12 chase or improvement of property.

13 Sixth—The assessed value of all its tangible property.

14 Such schedule shall be made in conformity to such instruction and forms as
 15 may be prescribed by the *Tax Commission*. Any corporation which fails or re-
 16 fuses to make such return or statement shall be fined not less than two hundred
 7 dollars (\$200.00) nor more than ten thousand dollars (\$10,000); and, in all cases
 8 of such failure or refusal, it shall be the duty of the *commission* to prepare such
 9 return or statement from the best information it can obtain.

Sec. 155. Every town collector, and every county collector, in cases where
 2 there is no town collector, upon receiving the tax book or tax books, shall proceed
 3 to collect the taxes mentioned herein. It shall be the duty of every county col-
 4 lector to prepare tax receipts in triplicate for all taxes assessed, which shall be
 5 filled out in accordance with the requirements of Section 163 of this Act, one
 6 copy of which shall be mailed by such collector, at least thirty days prior to the
 7 date upon which unpaid real estate taxes become delinquent, to the owner of the
 8 property taxed, or to the person in whose name such property is taxed, another
 9 copy of which shall be used by said collector in receipting for the tax paid, and
 10 the remaining copy thereof shall be retained by such collector. There shall be
 11 printed upon each such receipt a statement of the rates of the various taxes, and
 12 of the total tax rate. The failure or neglect of the collector to mail such receipt,
 13 or the failure of the tax payer to receive the same, shall not affect the validity
 13 of any tax, or the liability for the payment thereof.

Sec. 163. Whenever any person shall pay the taxes charged on any prop-
 2 erty, the collector shall enter such payment in his book, and give a receipt there-
 3 for, specifying for whom paid, the amount paid, what year paid for, and the
 4 property and value thereof on which the same was paid, according to its descrip-
 5 tion in the collector's books, in whole or in part of such description, as the case

6 may be; and such entry and receipt shall bear the genuine signature of the col-
7 lector or his deputy receiving such payment; and whenever it shall appear that
8 any receipt for the payment of taxes shall be lost or destroyed the entry so made
9 may be read in evidence in lieu thereof. *If the person paying the taxes on any*
10 *property so requests, the collector shall show on the receipt, the extension of the*
11 *several kinds of taxes against each lot or tract of land and against personal*
12 *property.* The collector shall enter the name of the owner, or the person paying
13 tax, opposite each tract or lot of land, when he collects the tax thereon, and the
14 post office address of the person paying such tax.

Sec. 2. Section 33 of said Act is repealed.



- 1 Introduced by Mr. Young, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 1, 2, 3, 7 and 9 of "An Act in relation to the assessment of property for taxation," approved June 19, 1919, in force July 1, 1919, and to add Section 10a thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1, 2, 3, 7 and 9 of "An Act in
3 relation to the assessment of property for taxation," approved June 19, 1919,
4 in force July 1, 1919, are amended, and Section 10a is added thereto, the amended
5 and added sections to read as follows:

Sec. 1. The term "local assessment officers," as used in this Act, shall
2 mean and include *county* assessors, boards of assessors, the county treasurer
3 and boards of review.

Sec. 2. The Tax Commission shall:

2 (1) Direct and supervise as provided by this Act, the assessment for tax-
3 ation of all real and personal property in this State to the end that all assess-
4 ments of property be made relatively just and equal;

5 (2) Confer with, advise and assist local assessment officers relative to the
6 assessment of property for taxation;

7 (3) Prescribe general rules and regulations, not inconsistent with law, for
8 local assessment officers relative to the assessment of property for taxation,
9 which general rules and regulations shall be binding upon all local assessment
10 officers and shall be obeyed by them, respectively, until reversed, annulled or
11 modified by a court of competent jurisdiction;

12 (4) Prescribe or approve the form of blanks for schedules, returns, re-
13 ports, complaints, notices and other documents, files and records authorized or
14 required by any provision of law relating to the assessment of property, or by
15 any rule and regulation of the commission and all assessing officers shall use true
16 copies of such blank forms;

17 (5) Assess the railroad property denominated "railroad track" and "roll-
18 ing stock;"

19 (6) Assess, and value, in the manner provided by law, the capital stock,
20 including the franchise, of all companies or associations now or hereafter incor-
21 porated under the laws of this State, including any of such property as may have
22 been omitted from assessment in any year or years, or which, from defective
23 description has not paid any taxes for any year or years;

24 (7) Equalize the valuation and assessment of property throughout the
25 State between the different counties of the State and fix the aggregate amount of
26 the assessment for each county upon which taxes shall be extended;

27 (8) Keep a correct record of its acts and doings relative to the assess-
28 ment of property and the equalization of assessments.

Sec. 3. The Tax Commission shall have power:

2 (1) To require local assessment officers to meet with it from time to time
3 for the purpose of considering matters relative to taxation;

4 (2) To formulate and recommend legislation for the improvement of the
5 system of taxation of property and for the equalization of the taxation of the
6 State;

(3) To make such research and investigation as to the properties of corporations and the true values of the franchise and properties of all corporations incorporated under the laws of this State, as will enable it to ascertain the fair cash value of the capital stock, including the franchise, of such corporations as are assessed by it and to obtain such further data and information upon which general rules and regulations may be based;

(4) To investigate the tax systems of other States and countries;

(5) To request the institution of proceedings, actions and prosecutions to enforce the laws relating to the penalties, liabilities and punishment of public officers, persons, or officers or agents of corporations for failure or neglect to comply with this Act;

(6) To order in any year a re-assessment of all real and personal property, or real or personal property, or any class of personal property, in any county, or in any assessment district thereof, when in its judgment such re-assessment is desirable or necessary, and for that purpose to cause such re-assessment to be made by the local assessment officers, and cause it to be substituted for the original assessment;

(7) To take testimony and proofs under oath and to require the production of books, papers and documents pertinent to any assessment, investigation or inquiry, and for that purpose to subpoena and compel the attendance of witnesses;

(8) To require from all State and local officers such information as may be necessary for the proper discharge of its duties;

(9) To examine and make memoranda from all records, books, papers, documents, statements of account on record or on file in any public office of the State or of any county, township, road district, city, village, incorporated town, school district or any other taxing district of the State and all public officers having charge or custody of such records shall furnish to the commission information of any and all matters on file or of record in their respective offices;

36 (10) To adopt, from time to time, rules not inconsistent with law, for ascer-
37 taining the fair cash value of the capital stock, including the franchise, of cor-
38 porations assessed by it.

Sec. 7. The fees and mileage of witnesses attending any hearing held by the
2 tax commission under the provisions of this Act, pursuant to any subpoena, shall
3 be the same as those of witnesses in civil cases in the Circuit Court in counties
4 of the second class. Such fees and mileage shall be paid by the State. *Local*
5 *assessment officers meeting with the Tax Commission as required under the*
6 *provisions of Section 3 hereof, shall be allowed their necessary expenses incurred*
7 *during attendance at such meeting and in going to and returning from the same.*
8 *Such expenses shall also be paid by the State.*

Sec. 9. Upon the completion of the original assessments to be made by the
2 Tax Commission, it shall publish a full and complete *list of such assessments in*
3 *some newspaper selected by it, or it may provide for the mailing of a notice of*
4 *each assessment to the particular person or corporation assessed.* Any person
5 or corporation feeling aggrieved by any such assessment may, within ten days
6 of the date of publication of such *newspaper* containing such list, *or within ten*
7 *days of the receipt of such notice,* apply to the Tax Commission for a review and
8 correction of the assessment complained of. Upon such review the Tax Commis-
9 sion may make such correction, if any, therein as may be just and right.

Sec. 10a. *It is the duty of the State's Attorney of the county in the Circuit*
2 *Court of which such appeal is taken to appear and represent the Tax Commis-*
3 *sion in such appeal, and to report the result thereof to the Commission. It is*
4 *the duty of the Attorney General, when so notified by the Tax Commission, to*
5 *assist in the defense of any suit brought to modify or abate taxes based upon*
6 *assessments made by the Tax Commission.*



- 1 Introduced by Mr. McCarthy, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 1 of Article II of "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of Article II of "An Act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895, as amended, is amended to read as follows:

Sec. 1. Justices of the peace shall have jurisdiction in their respective counties in the following cases, when the amount claimed does not exceed five hundred dollars:

First—In actions arising on contracts, whether under seal or not, express or implied, for the recovery of money only. When the action is upon a bond, the amount to be recovered thereon, and not the penalty of the bond shall determine the jurisdiction; and when the payments are to be made by installments, an action may be brought for any installment as it shall become due.

9 Second—In actions for damages for injury to real property, or for taking,
10 detaining or injuring personal property.

11 Third—In actions for rent and distress for rent.

12 Fourth—In actions against railroad companies and any person or company
13 controlling, operating or using any railroad, for killing or injuring horses, cattle,
14 sheep, hogs or other stock; for loss of or injury to baggage or freight; and for
15 injury or damage to real or personal property, caused by setting fire to the same
16 by their engines, or otherwise.

17 Fifth—In actions of replevin, when the value of the property claimed does
18 not exceed *five* hundred dollars.

19 Sixth—In actions for damages for fraud in the sale, purchase or exchange
20 of personal property, and in all cases where the action of debt or assumpsit will
21 lie, if the damages claimed do not exceed *five* hundred dollars. This section shall
22 apply to claims originally exceeding *five* hundred dollars, if the same shall at the
23 time of rendition of the judgment, be reduced by credits or deductions to an
24 amount not exceeding *five* hundred dollars.

25 Seventh—In all actions arising under the laws for the incorporation of
26 cities, towns and villages, or any ordinance passed in pursuance thereof, where
27 the amount claimed does not exceed *five* hundred dollars.

28 Eighth—In actions arising under the law in relation to dram-shops, where
29 the damage claimed does not exceed *five* hundred dollars.

30 Ninth—In all actions for the recovery of statutory fines or penalties in
31 which the amount claimed does not exceed *five* hundred dollars.

32 Tenth—In all actions by and against towns, cities, villages, or other municipi-
33 pal corporations, which, if brought by an individual, might be brought before a
34 justice of the peace.

35 Eleventh—To assess damages for sheep killed by dogs.

36 Twelfth—In proceedings against vagrants or vagabonds.

37 Thirteenth—In actions arising under the laws for the preservation of fish
38 and game.

39 Fourteenth—In actions of forcible entry and detainer.

40 Fifteenth—In all criminal actions in which the punishment is by fine only,
41 and does not exceed *five* hundred dollars; and such other jurisdiction as has
42 been, or shall be, conferred by law.

43 Sixteenth—In garnishment by attachment or summons the amount of the
44 claim of garnisher, and not the amount of the answer of the garnishee, shall
45 determine the jurisdiction.



- 1 Introduced by Mr. Shearer, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 62 and 75 of "An Act in relation to corporations for pecuniary profit," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 62 and 75 of "An Act in
3 relation to corporations for pecuniary profit," approved June 28, 1919, in force
4 July 1, 1919, are amended to read as follows:

Sec. 62. In order to adopt an amendment to the articles of incorporation,
2 such proposed amendment shall receive the affirmative vote of *three-fourths* in
3 amount of all the stock outstanding and entitled to vote.

Sec. 75. Any corporation organized under any general or special Act of
2 this State, including railroad corporations, may be dissolved in the manner fol-
3 lowing:

4 (1) The board of directors shall, when request in writing by the owners of
5 not less than *three-fourths* of the capital stock outstanding to submit the ques-
6 tion of dissolution, submit the same at any annual or special meeting, of which

7 twenty days' notice stating the purpose to submit such question shall be given by
8 mailing a notice thereof to each stockholder.

9 (2) At such meeting the stockholders, either in person or by proxy, shall
10 vote, by ballot, for or against the proposition of the dissolution of the corpor-
11 ation;

12 (3) If *three-fourths* in amount of all the outstanding capital stock shall
13 vote in favor of such proposition, then dissolution shall be authorized:

14 (4) The corporation shall then:

15 (a) Collect all its corporate assets;

16 (b) Pay and discharge all its corporate debts and liabilities;

17 (c) Distribute its corporate assets and property among the persons entitled
18 thereto, or, if a stockholder is unknown or cannot be found, or is under disability,
19 deposit the amount due and owing to such stockholder with the State Treasurer,
20 which shall be paid to such stockholder, or to his legal representative, upon
21 making satisfactory proof to the State Treasurer of right thereto;

22 (5) The corporation shall then submit to the Secretary of State in duplicate
23 a certificate of dissolution, verified by the *oath of the president, or vice-presi-*
24 *dent and attested by secretary or assistant secretary*, setting forth:

25 (a) The date of meeting of the stockholders at which the dissolution was
26 authorized;

27 (b) A true copy of the notice of such meeting;

28 (c) A true copy of the resolution authorizing the dissolution;

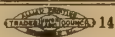
29 (d) A complete itemized list of all the corporate debts and liabilities at the
30 time of the passage of such resolution;

31 (e) The date and manner of payment of each debt and liability; *existing at*
32 *time of passage of such resolution*;

33 (f) A complete itemized list of all its corporate assets and property *dis-*
34 *tributed to the stockholders*;

35 (g) *The name of each stockholder and the amount of assets distributed*
36 *received by each, and date of distribution.*

37 (6) If such certificate of dissolution is in conformity with law, the Secre-
38 tary of State shall file the same and shall issue to such corporation a certificate
39 of dissolution.



- 1 Introduced by Mr. Tice, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Fish and Game.

A BILL

For an Act to amend Section 36, Article IV, of the "Game and Fish Code of Illinois," approved June 24, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 36, Article IV, of the "Game and Fish Code of Illinois," approved June 24, 1919, in force July 1, 1919, is amended to read as follows:

ARTICLE IV.

Sec. 36. FUR-BEARING ANIMALS (RACCOONS, MINKS, MUSKRATS, SKUNKS, OPOSSUMS, FOXES AND OTTERS).] It shall be unlawful:

(a) To hunt, kill, take, trap or destroy, or attempt to hunt, kill, take, trap or destroy any of the fur-bearing animals of the State, namely: Raccoons, minks, muskrats, skunks, opossums, foxes or otters, except between the first day of November and the 15th day of March, both inclusive, of the following year;

(b) For any person to have in his or her possession the green hide of any fur-bearing animal, except between the first day of November and the 25th day of March, both inclusive, of the succeeding year;

10 (c) To disturb, mutilate or destroy the house or den of any fur-bearing
11 animal, or to cut down or into any tree containing the den of any fur-bearing
12 animal, or to destroy or molest the house or den of any otter or muskrat, except
13 where such house or den obstructs a public or private ditch or water course;

14 (d) To use spears, or any like device, in the hunting or taking of fur-bearing
15 animals, or to use explosives, chemicals or mechanical devices or smokers of
16 any kind to drive fur-bearing animals out of their holes, dens or houses.

17 *It shall be lawful, however, to chase foxes with dogs, for pleasure, at any*
18 *time of the year.*



- 1 Introduced by Mr. W. B. Phillips, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to amend Sections 38 and 40 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 38 and 40 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended, are amended to read as follows:

Sec. 38. The officer so charged with the printing of primary ballots shall cause to be delivered to the primary judges of each precinct *or district*, not less than twelve hours before the time fixed for the opening of the polls, the official primary ballot of each political party, and the number thereof for each political party in each precinct *or district* shall be *one hundred and fifty* for each *one hundred* votes cast in such precinct *or district* by said political party at the primary election held in such precinct *or district* during the preceding two years at which such party cast its largest number of votes therein.

Sec. 40. The officer so charged with the printing of primary ballots shall
2 provide and retain in his office until after the primary, *a number of such primary*
3 *ballots of each political party for each precinct or district of the kind to be voted*
4 *thereon, equal to fifty for each one hundred votes cast in such precinct or dis-*
5 *trict by such political party at the primary election held during the preceding*
6 *two years at which such party cast its largest number of votes in such precinct*
7 *or district.* If at any time before or during the primary, ballots of any precinct
8 *or district* are lost, destroyed or exhausted, *such officer* shall, on written applica-
9 tion signed by the primary judges of *such precinct or district*, or any of them,
10 immediately cause to be delivered to said primary judges such supply of extra
11 ballots as may be required to comply with the provisions of this Act.

12 *Providing the ballots in charge of and retained by the officer in charge of*
13 *the distribution of ballots shall not have the designation of the precinct printed*
14 *thereon. And, provided, further, that in case a properly filed requisition for*
15 *additional ballots is made by the proper and qualified official of any election pre-*
16 *cinct, the officer in charge of the ballots shall stamp upon such ballots so de-*
17 *livered, the designation of the precinct.*

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 430

1921



1 Adopted March 29, 1921.

AMENDMENT NO. 1:

Amend House Bill No. 430, in Section 38, page one of the printed bill, by
2 striking out lines seven and eight, and in line six after word "the" insert the
3 words "last preceding election."

AMENDMENT NO. 2.

Amend House Bill No. 430, in Section 40, page two, line four of the printed
2 bill, by striking out the word "fifty" and inserting in lieu thereof the word
3 "twenty-five."

AMENDMENT NO. 3.

Amend House Bill No. 430, in Section 40, page two, line five of the printed
2 bill, by striking out the word "primary" and inserting in lieu thereof the words
3 "last preceding" and by striking out all of lines five, six and seven, beginning
4 with the word "held" and ending with the word "district."

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 430

1921



1 Adopted April 20, 1921.

AMENDMENT NO. 4.

Amend House Bill No. 430 by adding a new section thereto to be known
2 as Section 2.

Sec. 2. Because of an emergency, this Act shall take effect upon its pass-
2 age and approval.

AMENDMENTS TO
52d G. A. HOUSE BILL No. 430 1921



1 Adopted May 4, 1921.

AMENDMENT NO. 5.

Amend printed House Bill No. 430, on page 1, Section 38, by striking lines 7 and 8
2 and substituting in lieu thereof the following: *"last preceding general primary at which*
3 *candidates for county offices were nominated, or in case the ballots are for a city, vil-*
4 *lage or town primary, the number for each political party in each precinct or district*
5 *shall be one hundred and fifty for each one hundred votes cast in such precinct or dis-*
6 *trict by said political party at the last preceding primary in such city, village or incorpo-*
7 *rated town at which candidates for mayor or for president of the board of trustees were*
8 *nominated."*

AMENDMENT NO. 6.

Amend printed House Bill No. 430, on page 2, Section 40, line 4, by inserting im-
2 mediately after the words *"equal to"* the words *"at least."*

AMENDMENT NO. 7.

Amend printed House Bill No. 430, on page 2, Section 40, lines 5, 6 and 7 by strik-
2 ing the words *"primary election held during the preceding two years, at which such*
3 *party cast its largest number of votes in such precinct or district"* and substituting in
4 lieu thereof the following: *"last preceding general primary at which candidates for*
5 *county offices were nominated, or in case the ballots are for a city, village or town pri-*
6 *mary, such officer, shall provide and retain a number of the ballots of each political party*

7 *for each precinct or district equal to at least twenty-five for each one hundred votes cast*
8 *in such precinct or district by such political party at the last preceding general primary*
9 *in such city, village or incorporated town at which candidates for mayor or for president*
10 *of the board of trustees were nominated."*

AMENDMENT NO. 8.

Amend printed House Bill No. 430, on page 2, Section 40, by striking all of lines

2 12, 13, 14, 15, 16 and 17.

AMENDMENTS TO

52d G. A. HOUSE BILL NO. 430 IN SENATE

1921



1 Offered by Committee on Elections, May 31, 1921.

2 Ordered printed.

HOUSE BILL NO. 430 IN SENATE.

AMENDMENT NO. 1.

Amend printed House Bill No. 430 in Senate by striking out the word

2 "twenty-five" in line 9 of section 40 thereof and inserting in lieu thereof the

3 word "fifty."

AMENDMENT NO. 2.

Amend printed House Bill No. 430 in Senate by striking out Section 2

2 thereof.



- 1 Introduced by Mr. W. B. Phillips, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Elections.

A BILL

For an Act to amend Section 15 of "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 15 of "An Act to provide for the
3 printing and distribution of ballots at public expense, and for the nomination of
4 candidates for public offices, to regulate the manner of holding elections, and to
5 enforce the secrecy of the ballot," approved June 22, 1891, in force July 1, 1891,
6 as amended, is amended to read as follows:

Sec. 15. For all elections to which this Act applies, the county clerks, in
2 their respective counties, shall have charge of the printing of the ballots for all
3 general elections, and shall furnish them to the judges of election; the city, town
4 or village clerk shall have charge thereof and furnish them in all city, town or
5 village elections; and the town clerk in counties under township organization

6 shall have charge thereof and furnish the same in all town elections to which this
 7 Act applies. In cities, towns and villages having a board of election commis-
 8 sioners, such board shall have charge of the printing of the ballots and furnish
 9 them to the judges of election within the territory under their jurisdiction.
 10 Ballots shall be printed and in possession of the officer charged with their distri-
 11 bution at least two days before the election and subject to the inspection of candi-
 12 dates and their agents. If any mistakes *are* discovered, they shall be corrected
 13 without delay. The officer so charged with the printing of the ballots shall
 14 cause to be delivered to the judges of election at the polling place of each pre-
 15 cinct or district, not less than twelve hours before the time fixed by law for the
 16 opening of the polls therein, *one hundred and fifty* ballots of the kind to be voted
 17 in such precinct or district for every *one hundred* votes cast *in such precinct or*
 18 *district at the election held during the preceding two years at which the largest*
 19 *number of votes was cast therein.* In cities, towns and villages having a board
 20 of election commissioners, such ballots shall be put up in separate sealed pack-
 21 ages, with marks on the outside clearly designating the polling place for which
 22 they are intended and the number of ballots enclosed, and receipt therefor shall
 23 be given by the judges of election to whom they are delivered, which receipt shall
 24 be preserved by the officer charged with the printing of the ballots.

25 The officer charged with the printing and distribution of ballots shall provide
 26 and retain at his office, in addition to those distributed to the several voting pre-
 27 cincts or districts, *a number of ballots for each precinct or district, of the kind*
 28 *to be voted therein, equal to fifty for each one hundred votes cast in such pre-*
 29 *cinct or district at the election held during the preceding two years at which the*
 30 *largest number of votes was cast in such precinct or district.* If at any time
 31 before or during the day of election the ballots furnished to any precinct or dis-
 32 trict are lost, destroyed or exhausted, *such officer shall, on written application*
 33 *signed by a majority of the judges of such precinct or district, or signed and*
 34 *sworn to by one of such judges, immediately deliver, at such polling place, such*

35 additional supply of ballots as may be required to comply with the provisions
36 of this Act.

37 *Providing, the ballot in charge of and retained by the officer in charge of*
38 *the distribution of ballots shall not have the designation of the precinct printed*
39 *thereon. And, provided, further, that in case a properly filed requisition for*
40 *additional ballots is made by the proper and qualified official of any election pre-*
41 *cinct, the officer in charge of the ballots shall stamp upon such ballots so de-*
42 *livered, the designation of the precinct.*

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 431

1921



1 Adopted, March 29, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 431 by striking out the word “fifty” on page two,

2 line 28 of the printed bill, and insert in lieu thereof the word “twenty-five.”

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 431

1921



1 Adopted April 20, 1921.

AMENDMENT NO. 2.

Amend House Bill No. 431, by adding thereto a new section to be known as

2 Section 2.

3 Sec. 2. Because of an emergency, this Act shall take effect upon its pass-
4 age and approval.



1 Adopted May 4, 1921.

AMENDMENT NO. 3.

Amend printed House Bill No. 431, on page 2, Section 15, lines 18 and 19 by striking the words "*election held during the preceding two years at which the largest number of votes was cast therein,*" and substituting in lieu thereof the following:

"*last preceding general election at which county officers were elected or in case the ballots are for a city, village or town election, the number shall be one hundred and fifty for each one hundred votes cast in such precinct or district at the last preceding general election in such city, village or incorporated town at which a mayor or president of the board of trustees was elected.*"

AMENDMENT NO. 4.

Amend printed House Bill No. 431, on page 2, Section 15, line 28, by inserting immediately after the words "*equal to*" the words "*at least.*"

AMENDMENT NO. 5.

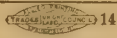
Amend printed House Bill No. 431, on page 2, Section 15, lines 29 and 30, by striking the words "*election held during the preceding two years at which the largest number of votes was cast in such precinct or district*" and substituting in lieu thereof the following:

"*last preceding general election at which county officers were elected or in case the ballots are for a city, village or town election such officer shall provide and retain a number of the ballots for each precinct or district equal to at least twenty-five for*

8 *each one hundred votes cast in such precinct or district at the last preceding general elec-*
9 *tion in such city, village or incorporated town at which a mayor or president of the*
10 *board of trustees was elected."*

AMENDMENT NO. 6.

Amend printed House Bill No. 431, on page 3, Section 15, by striking all of lines
2 37, 38, 39, 40, 41 and 42.



1 Offered by Committee on Elections, May 31, 1921.

2 Ordered printed.

HOUSE BILL NO. 431 IN SENATE.

AMENDMENT NO. 1.

Amend printed House Bill No. 431 in Senate by striking out all of line
2 of section 15 thereof after the word "therein," and all of lines 17, 18, 19, 20
3 and 21, and down to the words "In cities" in line 22 of said section, and by
4 inserting in lieu thereof the following: "in districts, cities, towns and villages
5 where there is a general registration law, one hundred ballots of the kind to be
6 voted in such precinct or district for every hundred registered voters, or frac-
7 tion thereof; or in precincts or districts where there is no general registration
8 law, one hundred fifty ballots for each one hundred legal voters, or fraction
9 thereof, the number of legal voters in such precinct or district to be estimated
10 from the vote cast at the last general election, by the official or officials
11 charged by law with the printing of the ballots."

AMENDMENT NO. 2.

Amend printed House Bill No. 431, in Senate, by striking out all of line
2 32 of Section 15 thereof after the word "least" and all of lines 33, 34, 35, 36,
3 37, 38 and down to the word "If" in line 39 of said section, and by inserting in
4 lieu thereof the following: "fifty per cent of the total delivered to the judges
5 of election in each precinct or district."

AMENDMENT NO. 3.

Amend printed House Bill No. 431, in Senate, by striking out all of Sec-
2 tion 2 thereof.



1 Introduced by Mr. Davis, March 17, 1921.

2 Read by title, ordered printed, and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to impose a license tax upon operators of coal mines in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* This Act shall apply to every person
3 owning, or in control of, any coal mine in this State, who, under the general
4 revenue laws of this State, is required to list such coal mine for purposes of
5 taxation; and the term "operator" as used herein shall include every such
6 person.

Sec. 2. After January 1, 1922, no operator shall operate a coal mine in this
2 State unless he has secured a license from the Department of Mines and Minerals
3 permitting him to operate said mine.

Sec. 3. Applications for licenses shall be made in writing to the Depart-
2 ment of Mines and Minerals during the month of December, 1921, and during
3 the month of December of each year thereafter, and each application shall state
4 the name and address of the operator and the location of the mine to be

5 operated. With each application shall be filed a bond, executed by the operator,
6 to the State of Illinois, in a sum to be fixed by the Department of Mines and Min-
7 erals, but not less than \$500.00 nor more than \$5,000.00, conditioned that the
8 operator shall file with the Department of Mines and Minerals a certificate, as
9 required by Section 5 of this Act, of the amount of coal taken from said mine
10 during the calendar year for which the license is sought, and shall pay the
11 license tax on such coal as required by Section 6 of this Act. Any person intend-
12 ing to start the operation of a coal mine after the first day of January, 1922, or
13 after the first day of January of any year thereafter, shall, before entering upon
14 such operation, make application as aforesaid, and shall file a bond, as above
15 required, conditioned that he shall file a certificate of the amount of coal taken
16 from said mine during the balance of the calendar year for which the license is
17 sought, as required by said Section 5, and shall pay the license tax on such coal
18 as required by said Section 6. A separate application shall be made and a sepa-
19 rate bond filed for each mine to be operated. If the applicant for a license is a
20 corporation, the application shall be made, and the bond, filed therewith, shall be
21 executed in the name of the corporation by the president, and by the secretary
22 or treasurer thereof.

Sec. 4. All such bonds shall be subject to approval by the Department of
2 Mines and Minerals. Upon the approval of any bond, the said Department shall
3 issue to the operator, named in said bond as obligor, a license permitting him to
4 operate the mine named in the application with which the bond was filed. Such
5 license shall be effective during the calendar year following the date of applica-
6 tion. When an application is made after the first day of January of any year, the
7 license issued thereon shall be effective from the date of issue for and during the
8 balance of that calendar year. All bonds approved by the Department of Mines
9 and Minerals shall be filed in the office of the said Department. Bonds rejected
10 by the said Department shall be returned immediately to the respective persons
11 named as obligors therein.

Sec. 5. Every operator of a coal mine in this State shall, on or before the
2 15th day of January, 1923, and on or before the 15th day of January in each year
3 thereafter, file with the Department of Mines and Minerals a certificate, verified
4 by affidavit, stating his name and address, the location of the mine operated, the
5 number of the license permitting the operation of such mine, together with a
6 statement of the amount of coal in tons of 2,000 pounds each taken from such
7 mine each month during the preceding year, or part thereof, covered by said
8 license. If the operator of any coal mine is a corporation, such certificate shall
9 be executed in the name of the corporation by the president, and by the secretary
10 or treasurer thereof. A separate certificate shall be executed and filed for each
11 mine operated. *However*, no operator shall be required to file any such certifi-
12 cate for any mine where no coal has been taken from said mine during the year
13 or part thereof covered by his license.

Sec. 6. Each such operator shall, at the time of filing such certificate with
2 the Department of Mines and Minerals, pay to the said Department a license tax
3 of two (2) mills per ton of coal taken from the said mine during the year, or part
4 thereof, covered by said certificate.

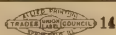
Sec. 7. If the operator of any coal mine fails to file with the Department of
2 Mines and Minerals a certificate of the amount of coal taken from said mine
3 during any calendar year, or part thereof, as required by Section 5 of this Act,
4 or to pay the license tax as required by Section 6 hereof, notice of such default
5 shall be given to the Attorney General, and that officer shall institute suit on the
6 bond filed by the said operator with his application for a license to operate the
7 said mine during the said year, or part thereof.

Sec. 8. Any operator, or any officer of a corporation, who makes any
2 wilfully false statement in any certificate required by Section 5 hereof, such
3 statement being material, shall be fined not less than two hundred dollars

4 (\$200.00) nor more than two thousand dollars (\$2,000.00), or imprisoned in the
5 penitentiary not less than one year nor more than five years, or both.

Sec. 9. Any person who operates a coal mine without a license as required
2 by this Act shall be fined not less than two hundred dollars (\$200.00) nor more
3 than two thousand dollars (\$2,000.00), or imprisoned in the penitentiary not less
4 than one year nor more than five years, or both. Such person shall also pay to
5 the Department of Mines and Minerals the license tax required by this Act on all
6 coal taken from said mine during the period of operation without a license.

Sec. 10. The Department of Mines and Minerals may adopt reasonable
2 rules and regulations relating to the enforcement of the provisions of this Act.



- 1 Introduced by Mr. Moore, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Appropriations.

A BILL

For an Act to provide for the manufacture, by the State, of materials to be used in
the construction of hard roads.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Governor shall appoint five members
3 of the General Assembly, three from the House of Representatives and two from
4 the Senate, as a committee to serve from the first day of July, 1921, for a period
5 of four years. He shall also name one of the members appointed from the House
6 of Representatives who shall be the chairman of this committee.

Sec. 2. The members of this committee shall not receive compensation for
2 the performance of the duties imposed by this Act but shall be reimbursed for
3 their actual and necessary traveling and other expenses incurred in the perform-
4 ance of their duties. *However,* if the term of office as Representative or Sen-
5 ator of any member of this committee expires before the first day of July, 1925,
6 after the expiration of his term of office, such member of the committee shall
7 receive for his services fifteen dollars (\$15.00) per day for time actually spent
8 in the performance of his duties as member of the committee.

Sec. 3. The committee herein created shall purchase or lease land suitable
2 for the purposes of this Act or may acquire land in the name of the State of Illi-
3 nois by condemnation proceedings instituted and conducted by the Attorney
4 General at the request of the committee in accordance with the laws relating to
5 eminent domain.

6 The sites selected and land acquired for the purposes of this Act shall be
7 located as near as may be convenient to the penal institutions of the State of Illi-
8 nois in order that the labor of the inmates of such institutions may be used in
9 the construction and operation of the manufacturing plants hereinafter provided
10 for.

Sec. 4. After the acquisition of suitable sites, the committee shall receive
2 bids and let contracts for the construction and equipment of plants for the manu-
3 facture of cement, brick and other materials for use in the construction of hard
4 roads by the State of Illinois.

Sec. 5. After such manufacturing plants have been erected and equipped
2 with suitable machinery for the purposes specified in this Act, they shall be turned
3 over to the Department of Public Works and Buildings and that department
4 shall have full charge, management and supervision of the operation of these
5 plants.

6 The Department of Public Works and Buildings shall arrange to employ
7 the labor of inmates of the penal institutions of the State in the operation of
8 these plants and the manufacture of hard road materials.

Sec. 5. There is appropriated to the committee herein created the sum of
2 \$25,000, such appropriation to be paid out of the State Bond Road Fund, and to
3 be expended in carrying out the provisions of this Act.

Sec. 6. The appropriation herein made is subject to the provisions of "An
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Moore, March 17, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 55 of Sub-division III of Article VI of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 55 of Sub-division III of Article VI of "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, is amended to read as follows:

Sec. 55. At their annual meeting to be held on the second Tuesday after the annual town meeting or district election in each year, each highway commissioner shall make out a list of able-bodied men *and women* in *his* town or district between the ages of twenty-one (21) and *sixty-five (65)* years and deliver the same to the town or district treasurer on or before the first day of May in each year, and assess at such meeting against each person upon such list *the* sum of one (1) dollar as a poll tax for highway purposes, *and for the maintenance and upkeep of hard roads* to be paid in cash to such treasurer by the first Monday

9 of June of each year: *Provided*, that paupers, idiots, lunatics and such others
10 as are exempt by law shall not be compelled to pay a poll tax for highway pur-
11 poses. The commissioner shall also, within ten (10) days after such list is de-
12 livered to the treasurer of the road and bridge fund, cause written or printed
13 notices to be posted, stating the time when and place where such tax must be
14 paid, in ten of the most public places in the township; or road district, as the case
15 may be and if this poll tax is not paid by the first Monday of June in such year
16 it shall be the duty of the commissioner of highways, in the name of the district
17 or town, to bring suit therefor against such persons before some justice of the
18 peace having jurisdiction thereof. Summons shall be issued and returned in the
19 same manner as provided by law in other cases. If judgment is rendered
20 against defendant the court shall find in such judgment that the same is for
21 poll tax unpaid, and shall endorse the same on the execution, if one is issued.
22 No property belonging to the defendant shall be exempt from levy to satisfy
23 such execution.



- 1 Introduced by Mr. Moore, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Sections 20 $\frac{1}{4}$, 20 $\frac{1}{2}$, 20 $\frac{5}{8}$ and 20 $\frac{3}{4}$ to the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 20 $\frac{1}{4}$, 20 $\frac{1}{2}$, 20 $\frac{5}{8}$ and 20 $\frac{3}{4}$ are added to the "Motor Vehicle Law," approved June 30, 1919, in force January 1, 1920, the added sections to read as follows:*

Sec. 20 $\frac{1}{4}$. After July 1, 1921, any purchaser of a motor vehicle or motor bicycle when he registers the same as provided in Section 19, shall pay to the Secretary of State an additional tax of 50 cents per horsepower on new motor vehicles and motor bicycles and 25 cents per horsepower on secondhand motor vehicles and motor bicycles. This tax shall be deposited in the Road Fund in the State treasury as provided by Section 36 of this Act. The Secretary of State shall thereupon issue a receipt which shall state a brief description of the vehicle, or bicycle, the name of the maker, the factory and engine number and motor power and the name of the owner.

Sec. 20 $\frac{1}{2}$. *Any owner of a motor vehicle who brings into the State a motor
2 vehicle or motor bicycle which is required to be registered under the provisions
3 of the Act of which this is an amendment, shall pay to the Secretary of State
4 the additional tax provided in Section 20 $\frac{1}{4}$.*

Sec. 20 $\frac{5}{8}$. *Whoever violates the provisions of Section 20 $\frac{1}{4}$ or of Section
2 20 $\frac{1}{2}$ is guilty of a misdemeanor and shall be punished by a fine of not less
3 than \$25.00 nor more than \$50.00.*

Sec. 20 $\frac{3}{4}$. *Any owner of a motor vehicle or motor bicycle who sells the
2 same after having paid the tax provided in Section 20 $\frac{1}{4}$ on such vehicle or
3 bicycle, shall deliver the receipt for such tax payment and the subsequent pur-
4 chaser when he registers the vehicle or bicycle as provided in Section 19, shall
5 mail the receipt to the Secretary of State and shall not be required to pay the
6 tax on the sale. The Secretary of State shall return to the owner the receipt
7 showing such tax payment.*



- 1 Introduced by Mr. S. B. Turner, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

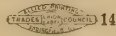
For an Act to amend Section eleven (11) of Article three (III) of an Act entitled, "An Act to amend an Act entitled, 'An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,' " approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891; as amended by an Act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section eleven (11) of Article three (III) of an Act entitled, "An Act to amend an Act entitled 'An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,' " approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891; as amended by an Act approved April 24, 1899, be and the same is hereby amended to read as follows:

Sec. 11. Any voter or voters in the ward, village or town containing such precinct, may, between the hours of 9 a. m. and 6 o'clock p. m. of Monday and

3 Tuesday of the week immediately preceding the week in which such election is
4 to be held, make application in writing before such board of election commis-
5 sioners to have any name upon such register of any precinct in the ward erased,
6 which application shall be in substance in the words and figures following:

7 “I (or we).....do hereby solemnly swear
8 (or affirm) that.....is not a qualified voter in
9precinct ofward of the city
10 (village or town) of.....and hence I (or we) ask
11 that his name be erased from the register of such precinct.”



- 1 Introduced by Mr. Robbins, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 9 of "An Act to incorporate companies to do the business of life or accident insurance on the assessment plan, and to control such companies of this State and of other States doing business in this State, and to repeal a certain Act therein named, and providing and fixing the punishment for violation of the provisions thereof," approved June 22, 1893, in force July 1, 1893, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 9 of "An Act to incorporate com-
3 panies to do the business of life or accident insurance on the assessment plan,
4 and to control such companies of this State and of other States doing business
5 in this State, and to repeal a certain Act therein named, and providing and
6 fixing the punishment for violation of the provisions thereof," approved June
7 22, 1893, in force July 1, 1893, as amended, is amended to read as follows:

Sec. 9. No corporation doing business of life insurance under this Act shall
2 issue a certificate or policy upon the life of any person more than sixty-five years

3 of age, excepting in case of transfer of policy holders as provided herein, nor
4 upon a life in which the beneficiary named has no insurable interest. Any assign-
5 ment of the policy or certificate to a person having no insurable interest in the
6 insured life shall render such a policy or certificate void. *Policies of life insur-*
7 *ance which contain provisions operating in event that the insured shall become*
8 *totally and permanently disabled from any cause, to safeguard the insured*
9 *against lapse or to grant a special surrender value, or an annuity payable for*
10 *a limited period or during the life of the insured, or which contain provisions*
11 *granting insurance against death by accident, shall be deemed to be policies*
12 *of life insurance within the intent of this section.*



1 Adopted April 27, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 437 by striking out the last word of Section 9, together with the period and insert in lieu thereof the following: "Act: *Provided*, the Association or company issuing same shall have admitted assets of at least \$100,000.00; and, *provided, further*, that nothing contained in this section shall apply to Fraternal Beneficiary Societies."

AMENDMENT NO. 2.

Amend House Bill No. 437 by amending the title by striking out the words and figure "Section 9 of" where it appears in the first line thereof.



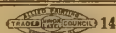
- 1 Introduced by Mr. Baker, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the Prevention of Base Ball Pools, and the betting and wagering on the result of any base ball game.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any person or number of persons
3 who shall sell or offer for sale any device, scheme, writing, paper or document
4 representing or being a record or combination of records, of the results of any
5 chance, share or interest, in the numbers sold, drawn or to be drawn, whereby
6 the result on any number of runs of any base ball game, or combination of any
7 base ball game or games, what is commonly called "base ball pools", or in the
8 nature of a bet, wager, or insurance upon the drawing or drawn numbers, do be
9 the result upon any day, days, week or weeks of any base ball game or combina-
10 tion of base ball games, shall upon conviction for the first offense be confined in
11 the county jail not more than one year, or be fined not less than two hundred
12 dollars, nor more than one thousand dollars, or both; and upon the conviction for
13 the second offense be imprisoned in the penitentiary not less than one nor more
14 than two years.

Sec. 2. The possession by any person or persons other than a public officer,
2 of any device, scheme, writing, paper, document, or article of any kind repre-
3 senting or being a record or combination of record of the result of any chance,
4 share or interest in the number sold, drawn or to be drawn, whereby the result
5 of any base ball game or combination of any base ball games such as are used
6 for carrying on, promoting or playing the game commonly known as a "base
7 ball pool", or in the nature of a bet, wager, or insurance upon drawing or drawn
8 number or numbers representing the number of runs of any base ball club or
9 clubs on any day or days, week or weeks, is presumptive evidence of possession
10 thereof knowingly and in violation of the provisions of this Act.



- 1 Introduced by Mr. Holaday, March 17, 1921.
- 2 Read by title, ordered printed and rererred to Committee on Efficiency and
Economy.

A BILL

For an Act to revise the law in relation to plumbing.

SECTION 1. - *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That any person now or hereafter engag-
3 ing in or working at the business of plumbing in cities or towns of 5,000 in-
4 habitants or more in this State, either as a master plumber or employing
5 plumber or as a journeyman plumber, shall first receive a certificate thereof,
6 in accordance with the provisions of this Act.

Sec. 2. Any person desiring to engage in or work at the business of plumb-

2 ing, either as a master plumber or employing plumber, or as a journeyman
3 plumber, shall make application to a board of examiners hereinafter provided
4 for, and shall, at such time and place as said board may designate, be com-
5 pelled to pass such examination as to his qualifications, as said board may
6 direct; said examination may be made in whole or in part in writing, and shall

7 be of a practical and elementary character but sufficiently strict to test the quali-
8 fications of the applicant.

Sec. 3. That there shall be in every city, town or village, of 10,000 inhab-
2 itants or more, a board of examiners of plumbers, consisting of three members,
3 one of which shall be the chairman of the board of health, who shall be ex-officio
4 chairman of said board of examiners, a second member who shall be a master
5 plumber, and a third member who shall be a journeyman plumber. Said second
6 and third members shall be appointed by the mayor and approved by the city
7 council or by the board of trustees of said town or village, within three months
8 after the passage of this Act, for the term of one year from the first day of
9 May, in the year of appointment, and thereafter annually before the first day
10 of May, and shall be paid from the treasury of said city, town or village, the
11 same as other officers, in such sums as the authorities may designate.

Sec. 4. Said board of examiners shall, as soon as may be, after the appoint-
2 ment meet and shall then designate the times and places for the examination
3 of all applicants desiring to engage in or work at the business of plumbing,
4 within their respective jurisdiction. Said board shall examine said applicants as
5 to their practical knowledge of plumbing, house drainage and plumbing ventila-
6 tion, and if satisfied of the competency of such applicants shall thereupon issue
7 a certificate to such applicant authorizing him to engage in or work at the busi-
8 ness of plumbing whether as master plumber, or employing plumber or as a
9 journeyman plumber.

10 The fee for a certificate for a master plumber or employing plumber shall
11 be \$50.00; for journeyman plumber it shall be \$1.00. Said certificate shall be
12 valid and have force throughout the State for a period of one year from date
13 of issuance and may be renewed upon its expiration by payment in advance of
14 an annual renewal fee of \$10.00 for the certificate of a master plumber or em-
15 ploying plumber and the payment in advance of an annual renewal fee of \$1.00
16 for the certificate of a journeyman plumber. All fees received for said certificate

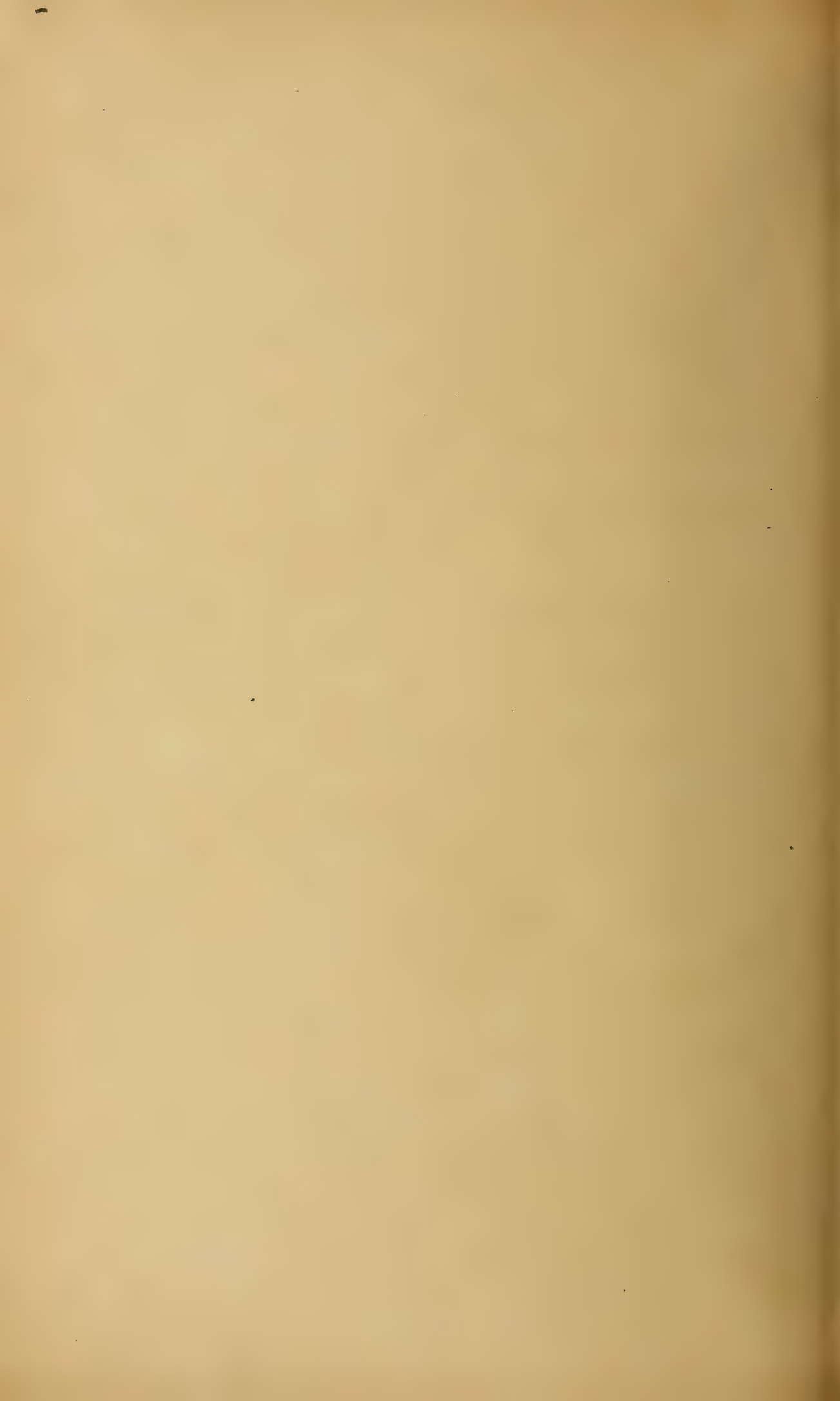
17 shall be paid into the treasury of the city, town or village where said certifi-
18 cates are issued.

Sec. 5. Each city, town or village in this State, having a system of water
2 supply or sewerage, shall by ordinance or by law, within three months of the
3 passage of this Act, prescribe rules and regulations for the materials, construc-
4 tions, alteration and inspection of all plumbing and sewerage placed in, or in
5 connection with any building in such city, town or village; and the board of
6 health, or proper authorities, shall further provide that no plumbing work shall
7 be done, except in case of repairing leaks, without a permit being first issued
8 therefor, upon such terms and conditions as such city, town or village shall
9 prescribe.

Sec. 6. All persons who are required by this Act to take examinations and
2 procure a certificate as required by this Act shall apply to the board in the city
3 where he resides or to the board nearest his place of residence.

Sec. 7. Any person violating any provision of this Act shall be deemed
2 guilty of a misdemeanor, and be subject to a fine of not less than five dollars
3 (\$5.00) nor exceeding fifty dollars (\$50.00) for each and every violation there-
4 for, and his certificate may be revoked by the board of health or proper authori-
5 ties of said city, town or village.

Sec. 8. An Act entitled, "An Act to provide for the licensing of plumbers,
2 and to provide for the supervision and inspection of plumbing and providing
3 penalties for the violation thereof, and to repeal an Act entitled, 'An Act to
4 provide for the licensing of plumbers and to supervise and inspect plumbing,'
5 approved June 10th, 1897, in force July 1st, 1897, and all amendments thereto
6 and all Acts and parts of Acts inconsistent herewith," filed June 29, 1917, in
7 force July 1, 1917, is hereby repealed.





- 1 Introduced by Mr. Holaday, March 17, 1921.
2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act in relation to the construction by the State of Illinois of certain durable
hard-surfaced roads upon public highways of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Department of Public Works
3 and Buildings of the State of Illinois, be, and it is hereby, given full power
4 and authority to construct certain durable hard-surfaced roads, including neces-
5 sary bridges, upon public highways of the State, and to construct said roads
6 under its own immediate supervision, direction and control, or under such super-
7 vision, direction and control of Counties of the State, as may be delegated to
8 such Counties by said Department, and power to make such delegation is hereby
9 conferred on said Department, subject to the approval of the Governor of this
10 State, or under contracts, for such construction, to be let on terms and condi-
11 tions prescribed by said Department.

Sec. 2. That Counties of this State, acting through their County Boards,
2 be, and they are hereby, authorized and empowered to take whatever steps may

3 be necessary to enable such Counties to aid the State in the construction of the
4 durable hard-surfaced roads provided for herein.

Sec. 3. That said Department of Public Works and Buildings is hereby
2 given full power and authority to purchase and supply for its own use, or for
3 the use of any County aiding the State in the construction of said durable hard-
4 surfaced roads, any labor, tools, supplies, materials, machinery and road build-
5 ing equipment needed for the construction of said durable hard-surfaced roads,
6 and also to advance funds to Counties so aiding in the construction of said
7 durable hard-surfaced roads in order to enable such Counties to purchase and
8 secure, under the direction and with the approval of said Department, the neces-
9 sary labor, tools, supplies, materials, machinery and road building equipment
10 needed for said work.

Sec. 4. That said Department of Public Works and Buildings is hereby
2 given full power and authority to make any necessary arrangements with Coun-
3 ties of the State to enable such Counties to aid the State in the construction of
4 said durable hard-surfaced roads, or to let contracts for the construction of
5 such durable hard-surfaced roads to such Counties, and such Counties, acting
6 through their County Boards, are hereby authorized and empowered so to aid
7 the State in such work, and also to bid on and enter into such contracts with
8 said Department of Public Works and Buildings: Provided, however, that prices
9 bid by and paid to Counties for such work shall in all cases be less than the
10 prices bid by private contractors for similar work; and provided, also, that
11 Counties shall aid in the construction of only those roads which lie within
12 their own boundaries or within two miles thereof.

Sec. 5. That the durable hard-surfaced roads, or any parts thereof, men-
2 tioned herein, shall be constructed under plans, specifications and estimates of
3 cost furnished and approved by said Department of Public Works and Build-
4 ings; that wherever Counties aid in the construction of such work, said work
5 shall be done under the direction and subject to the approval of said Depart-

6 mentment, and on terms mutually agreed upon by said Department and the
7 Counties interested therein; that the durable hard-surfaced roads, herein men-
8 tioned, shall be constructed in accordance with the provisions of, and upon and
9 along the Routes mentioned in, an Act of the General Assembly of the State
10 of Illinois, entitled: "An Act in relation to the construction by the State of
11 Illinois of a State-wide System of Durable Hard-surfaced Roads upon public
12 highways of the State and the provision of means for the payment of the cost
13 thereof by an issue of bonds of the State of Illinois," approved June 22, 1917,
14 and submitted to and ratified by the people on November 5th, A. D. 1918.

Sec. 6. That whenever it becomes necessary in order to secure at reason-
2 able prices road building materials and supplies for use in the construction of
3 said durable hard-surfaced roads, said Department of Public Works and Build-
4 ings, in its name, be, and it is hereby, given full power and authority to pur-
5 chase from the owners thereof, necessary road ways, existing gravel pits, sand
6 banks, rock quarries, cement plants, brick plants, or other plants manufacturing,
7 supplying or furnishing road building materials and supplies, and also to pur-
8 chase lands containing deposits of gravel, rock, sand or other road building
9 materials, or if compensation for any of the above described property cannot
10 be agreed upon, to have such just compensation ascertained and to acquire and
11 pay for said property in the same manner, as near as may be, as provided for
12 in an Act of this State, entitled, "An Act to provide for the exercise of the
13 right of eminent domain," approved April 10, 1872, and the amendments thereto;
14 provided, however, that said Department of Public Works and Buildings shall
15 not be required, in any case to furnish bond.

Sec. 7. That all payments for work done or obligations incurred under the
2 provisions of this Act are hereby authorized to be made, and they shall be made
3 by the State Treasurer out of any funds appropriated and set aside for road
4 building purposes, upon warrants drawn by the Auditor of Public Accounts,
5 based upon bills of particulars and vouchers certified by the proper official of

6 said Department of Public Works and Buildings, having knowledge of the facts
7 upon which such vouchers are based, and audited and approved by the Super-
8 intendent of Highways and the Director of Public Works and Buildings, and
9 approved by the Governor, acting through the Department of Finance.

Sec. 8. Whereas, an emergency exists, therefore, this Act shall be in full
2 force and effect from and after its passage and approval.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 440

1921



1 Adopted March 29, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 440, as printed in the House, by inserting after the
2 word "boundaries" in line 2, of Section 4, of said bill, a period, and by strik-
3 ing out all of the remainder of said line 12."



- 1 Introduced by Mr. Church, March 17, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act pertaining to Extortionate Rent of Real Estate.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Extortionate Rent of Real Estate is the
3 charging of rent, or contracting to receive rent, which will equal during a twelve
4 month period, more than twelve per cent of net income, computed on the fair
5 cash market value of the premises at the commencement of such twelve month
6 period.

7 “Net income” means the total rents collected after deducting all cost and
8 expense of operation and upkeep thereof and of service connected therewith dur-
9 ing such period, the cost of all insurance and indemnity with respect thereto of
10 every kind, all taxes and assessments (other than such taxes and assessments
11 for local improvements specially benefitting such real estate) and a reasonable
12 amount for depreciation of the premises. Loss of rentals due to vacancies and
13 to non-payment of rents by tenants shall also be deducted: *Provided*, however,

14 that not more than two per cent of the fair cash market value of the premises
15 shall be deducted therefor.

16 Net income of portions of a building arranged for letting in parts, or apart-
17 ments, shall be determined equitably according to the fair relative value of
18 each and every such part. Rent under lease for more than one year shall be
19 determined on an average yearly rental of the entire term thereof and a period
20 less than twelve months shall be computed ratably.

Sec. 2. No person or corporation shall, directly or indirectly, accept or
2 receive, or contract to receive, in money, goods, discounts or other thing in
3 action, or in any other way, any extortionate rent for real estate.

Sec. 3. If any person or corporation in this State shall contract to receive
2 extortionate rent, such person shall forfeit all of the net income received on the
3 premises rented in excess of 5% net income on the fair cash market value of
4 such premises.

Sec. 4. The defense of extortionate rent of real estate shall be pleaded or
2 notice given, in like manner as in case of usurious interest, that such defense
3 will be raised on the trial.

Sec. 5. If the tenant make defense of extortionate rent of real estate and
2 pay the agreed or charged rent into court pending the outcome of the suit or
3 action for possession and pay the same into court from time to time as such
4 payments shall fall due, all subject to the further order of court, his tenancy
5 shall not be terminated for non-payment if it shall be found on the trial that
6 the amount demanded or charged is extortionate rent.

Sec. 6. This Act is a temporary measure for the purpose of meeting a
2 public emergency.



- 1 Introduced by Mr. Arnold, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Military Affairs.

A BILL

For an Act to provide a distinctive flag for the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The official flag of the State of Illinois
3 shall conform to the following description:

4 The colors of the flag are red, white and blue; it is rectangular in shape, its
5 width being two-thirds its length. The design is thirteen horizontal stripes of
6 equal width, alternate blue and white, seven blue and six white, with a diamond-
7 shaped red union in the center, this union bearing a constellation of twenty-one
8 white, five pointed stars, one of these stars larger than the others, being placed
9 in the center of the union and the other twenty stars bordering the edge of the
10 union.

11 The space between the edges of the flag and the corners of points of the
12 union is, at the top and bottom, the width of two stripes, and at the ends, a space
13 equal to the width of two stripes. One point of each star points to the top of the
14 flag. The diameter of a circle, drawn through the points of the large star in the

15 center of the union, is not more than the width of two and one-half stripes, nor
16 less than the width of two stripes; the diameter of a circle drawn through the
17 points of one of the small stars is not more than the width of one stripe, nor
18 less than seven-eighths the width of one stripe. One small star is placed in each
19 corner or point of the union and four small stars in a straight line through
20 their centers and the centers of the corner stars, are placed between each two
21 corner stars. The space between the edge of the union and the center of the
22 small stars is not less than the width of one stripe, nor more than the width of
23 one and one-eighth stripes

Sec. 2. The official flag of the State shall be flown over the State Capitol
2 Building when the General Assembly is in session and it may be used by the Gov-
3 ernor when on official business. The State flag may be used for any purpose for
4 which a flag may properly be used, but all laws relating to punishment for misuse
5 or abuse of the national flag shall apply in cases of misuse or abuse of the State
6 flag.

Sec. 3. "An Act to authorize the reproduction of the emblem on the 'great
2 seal of the State of Illinois' for use as a State banner," filed July 6, 1915, is
3 repealed.



- 1 Introduced by Mr. Baldwin, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 36 of Division I of an Act entitled "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 36 of Division I of an Act entitled
3 "An Act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, in force July 1, 1874, as amended, is amended to read as follows:

Sec. 36. Whoever wilfully and maliciously and forcibly breaks and enters,
2 or wilfully and maliciously, without force (the doors or windows being open),
3 enters into any dwelling-house, kitchen, office, shop, store-house, warehouse,
4 malt-house, stilling-house, mill, pottery, factory, wharfboat, steamboat or other
5 water craft, freight or passenger railroad car, church, meeting-house, school-
6 house, or other building, with intent to commit murder, robbery, rape, mayhem,
7 or other felony or larceny, shall be deemed guilty of burglary, and shall be im-
8 prisoned in the penitentiary for a term of not less than *five* years nor more

9 than *twenty-five years*: Provided, however, that whoever wilfully and mali-
10 ciously and forcibly breaks and enters, or wilfully and maliciously, without force
11 (the doors or windows being open), enters into any dwelling-house in the night-
12 time with intent to commit murder, robbery, rape, mayem, or other felony or
13 larceny shall, on conviction, be imprisoned in the penitentiary for a term of not
14 less than *ten* years nor more than *twenty-five years*: Provided, further, that if
15 at the time of committing the offense mentioned in the proviso, such person
16 shall be found with any deadly weapon, deadly drug, or anesthetic, upon his per-
17 son, or in his possession, he shall, on conviction, be punished by imprisonment
18 in the penitentiary for any term of years not less than *twenty-five*.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 443

1921



1 Adopted April 12, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 443, in section 36, line eight, by striking out
2 the words "five years" and inserting in lieu thereof the words "one year."



I Adopted May 3, 1921.

AMENDMENT NO. 2

Amend printed House Bill No. 443, in Section 36, line 8, by striking out the word
2 "five" before the word "than" and insert in lieu thereof the word "one" and by striking
3 out the letter "s" in the word "years" so that it will read "one year."

AMENDMENT NO. 3

Amend printed House Bill No. 443, in Section 36, line 14, by striking out the word
2 "ten" after the word "than" and insert in lieu thereof the word "five."

AMENDMENT NO. 4

Amend printed House Bill No. 443, in Section 36, line 18, by striking out the word
2 "twenty-five" and insert in lieu thereof the word "ten."



- 1 Introduced by Mr. Castle, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections eighteen (18) and forty-six (46) of "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections eighteen (18) and forty-
3 six (46) of an Act entitled, "An Act in regard to the administration of estates,"
4 approved April 1, 1872, in force July 1, 1872, as subsequently amended be, and
5 the same is hereby amended so as to read as follows:

Sec. 18. Administration of the estate of all persons dying intestate, shall be
2 granted to some one or more of the persons hereinafter mentioned, and they
3 are respectively entitled to preference thereto, in the following order:

4 1st. To the surviving husband or wife of any competent person nominated
5 by him or her.

6 2nd. To the children of any competent person nominated by them.

7 3rd. To the father or any competent person nominated by him.

8 4th. To the mother or any competent person nominated by her.

9 5th. To the brothers or any competent person nominated by them.

10 6th. To the sisters or any competent person nominated by them.

11 7th. To the grandchildren or any competent person nominated by them.

12 8th. To the next of kin *entitled to a distributive share in the estate* or any
13 competent person nominated by them.

14 9th. To the public administrator or to any creditor who shall apply for
15 the same.

16 *When any person, otherwise entitled to nominate hereunder, is a minor or*
17 *under conservatorship, then his or her guardian or conservator may nominate*
18 *for him or her.*

19 When several are claiming and are equally entitled to administration, the
20 court may grant letters to one or more of them, preferring relatives of the
21 whole to those of half blood. Preference and the right to nominate under this
22 Act is given for sixty days from the death of the intestate, *and in case decedent*
23 *left a last will and testament, probate of which was refused, then sixty days*
24 *from the entry of the final order refusing probate of such last will and testament.*
25 *If no nomination of an administrator has been made within the sixty days*
26 *above provided, then after the expiration of said sixty days, administration may*
27 *be granted to the public administrator. If, however, after the expiration of the*
28 *sixty days herein provided, and before a petition for letters shall have been*
29 *filed by the public administrator, nomination for letters shall be filed by any one*
30 *who had a prior right within said sixty days, then letters of administration shall*
31 *be granted under the nomination of the person so having the prior right.*

32 In all cases where the intestate is a non-resident, and in all cases where
33 there is no widow, husband or next of kin entitled to a distributive share in the
34 estate of such intestate, who at the time of the death of said decedent is a bona
35 fide resident of this State, administration may be granted to the public admini-
36 strator; *provided that subject to the prior right of resident relatives to nominate*
37 *non-resident relatives of such decedent may within the time designated by this*

38 *Act and in the order designated by this Act nominate some competent and*
39 *proper person, resident of this State to whom the Court shall commit admini-*
40 *stration and in all cases where any contest shall arise between the widow, heirs*
41 *at law or next of kin of the decedent, in relation to the grant of letters, and it*
42 *shall appear to the court that the estate of said decedent is liable to waste, loss*
43 *or embezzlement, administration to collect shall be granted to the public ad-*
44 *ministrator of the proper county, to administer such estate, until said contest is*
45 *determined. No administration shall in any case be granted until satisfactory*
46 *proof shall be made to the county court to whom application for that purpose is*
47 *made, that the person in whose estate letters of administration are requested,*
48 *is dead and died intestate.*

49 *Provided, that when the heirs are residents of this State, and the estate is*
50 *solvent and without minor heirs, and it is desired by the parties in interest to*
51 *settle the estate without administration, this law shall not apply. And further*
52 *provided, that no non-resident of this State shall be appointed or act as ad-*
53 *ministrator or executor.*

Sec. 46. Whenever any person dies *intestate* seized or possessed of any
2 real estate within this State or having any right or interest therein, *or owning*
3 *or having any interest in any stock, bond, chose in action or any personal prop-*
4 *erty in this State leaving no relative or creditor within this State who will ad-*
5 *minister upon such deceased person's estate, it shall be the duty of the County*
6 *or Probate Court upon application of any person interested therein to commit*
7 *the administration of such estate to the public administrator of the proper*
8 *County: Provided that non-resident relatives of such decedent who under Sec-*
9 *tion 18 of this Act are entitled to nominate, may within the time provided by said*
10 *Section 18 nominate some competent and proper resident of this State to whom*
11 *the court shall commit administration.*



- 1 Introduced by Mr. Castle, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 205a to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 205a is added to Division I of
3 "An Act to revise the law in relation to criminal jurisprudence," approved
4 March 27, 1874, in force July 1, 1874, as amended.

Sec. 205a. *Any person who shall burn, or cause to be burned, any manure,*
2 *offal, garbage, or any accumulation of offensive or nauseous substance, within*
3 *the corporate limits of any city, town or village, shall be fined not less than ten*
4 *dollars (\$10.00), nor more than two hundred dollars (\$200.00).*

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 445

1921



1 Adopted April 27, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 445, by striking out in line 2, of Section 205a,

2 the words "ofal, garbage, or any accumulation of offensive or nauseous sub-
3 stance."



- 1 Introduced by Mr. Church, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 29 of an Act entitled "An Act in relation to corporations for pecuniary profit," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 29 of an Act entitled "An
3 Act in relation to corporations for pecuniary profit," approved June 28, 1919,
4 in force July 1, 1919, be and the same is hereby amended to read as follows:

Sec. 29. Each stockholder shall be entitled to a certificate of stock, executed
2. by such officers as the by-laws may prescribe, certifying the number of shares
3 owned by him in such corporation: *Provided, that no corporation, nor its*
4 *transfer agent or registrar of stock shall be affected by notice that its shares*
5 *of stock are subject to a trust, or be bound to see to the execution of any trust*
6 *with respect to its shares of stock, or be bound to ascertain or inquire whether*
7 *or not any transfer of its shares of stock is authorized under any trust.*

AMENDMENT TO

52d G. A.

HOUSE BILL No. 446

1921



1 Adopted May 5, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 446, in Section 29, lines four and five by striking
2 out the words "affected by notice that its shares of stock are subject to a trust, or be"



- 1 Introduced by Mr. Clark, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act prohibiting certain employers from requiring or permitting employes to
work more than six days in a week.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* No person shall be employed in any me-
3 chanical or mercantile establishment, or factory or foundry or laundry or hotel
4 or restaurant or telegraph or telephone establishment or office thereof, or in any
5 place of amusement, or by any person, firm or corporation engaged in any ex-
6 press or transportation or public utility business, or by any common carrier,
7 more than six days in any one week.

Sec. 2. Every employer coming under the provisions of this Act shall
2 arrange the work of his employes in such manner as to carry out the provisions
3 of this Act, and shall post in the shop or place of employment, a schedule of
4 hours showing the regular work period during the entire week and designating
5 clearly the day of the week which is the rest day for each employe respectively.

6 The employer shall promptly file with the Department of Labor, a copy of such
7 schedule and every change therein.

Sec. 3. Any employer who shall require or permit or suffer any person to
2 work in any of the places mentioned in section 1 of this Act more than the num-
3 ber of days provided in this Act, during any week, or who shall fail, neglect or
4 refuse to arrange the work of persons in his employ that they shall not
5 work more than the number of days provided in this Act, during any one week,
6 or who shall permit or suffer any overseer, superintendent or other agent of any
7 such employer to violate any of the provisions of this Act, shall be guilty of a
8 misdemeanor and upon conviction thereof shall be fined for each offense in a
9 sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars
10 (\$100.00).

Sec. 4. The Department of Labor is charged with the duty of enforcing
2 the provisions of this Act and prosecuting all violations thereof.



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to re-appropriate the sum of five thousand dollars (\$5,000) to provide for
a memorial in honor to the memory of Governor Edward Coles.

WHEREAS, Edward Coles served as the second Governor of this State, from
2 1822 to 1826; and,

3 WHEREAS, As private secretary of President James Madison, Governor
4 Coles was one of the most noted characters of our nation; and,

5 WHEREAS, An hereditary slave holder, he executed instrumnets of emancipa-
6 tion to his slaves at Edwardsville, Madison County, Illinois, on July 4, 1819;
7 and,

8 WHEREAS, To his effective leadership of the anti-slavery forces in the mo-
9 mentous struggle of 1824 to amend the Constitution of 1818 so as to legalize
10 slavery in this State, is due, in large measure, the credit for preserving Illinois
11 as a free State; now, therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and

3 Buildings shall accept a donation of a site for and shall procure and cause to be
4 erected, at Edwardsville, Madison County, Illinois, a suitable memorial to the
5 memory of Governor Edward Coles.

Sec. 2. The sum of five thousand dollars (\$5,000) is re-appropriated to
2 the Department of Public Works and Buildings for the carrying out of the
3 provisions of this Act. The Auditor of Public Accounts is authorized and
4 directed to draw warrants upon the State Treasurer against the appropriation
5 herein made, upon the presentation of vouchers certified as correct by the Direc-
6 tor of Public Works and Buildings and approved by the Director of Finance,
7 and the State Treasurer is authorized and directed to pay the same out of any
8 funds in the State treasury not otherwise appropriated.



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act in relation to reinsurance by mutual insurance companies.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Any mutual insurance corporation or
3 company, other than life, chartered or organized under any law of this State,
4 without amending its charter or articles of association, and any mutual insur-
5 ance corporation or company, other than life, admitted to transact insurance in
6 this State, may, by policy, treaty, or other agreement, cede to or accept from
7 any insurance company or insurer reinsurance upon the whole or any part of
8 any risk, which reinsurance shall be without contingent liability or participa-
9 tion or membership unless the contract provides otherwise and shall not be
10 effected with any company or insurer disapproved therefor by written order
11 of the Director of Trade and Commerce filed in his office.

52d G. A.

AMENDMENT TO
HOUSE BILL No. 449

1921

1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend House Bill No. 449, as printed, by inserting after the word "Director" in
2 line 11, the following "of the Department."



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 8 of "An Act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 8 of "An Act to revise the law in relation to township insurance companies," approved March 24, 1874, in force July 1, 1874, as amended, is amended to read as follows:

Sec. 8. Such companies may issue policies only on detached dwellings, barns (except livery, boarding and hotel barns) and other farm buildings, school houses and churches, and such property as may be properly contained therein; also other property on the premises and owned by the insured; also live stock (hay and grain in the stack) on the premises of the insured and anywhere in the territory of the company for any time not exceeding five years and not to extend beyond the limited duration of the charter. Said policies may cover loss of or damage to live stock, harness and vehicles temporarily taken from the

9 territory of the company. *Any such company may cede or accept reinsurance*
10 *on the whole or on any part of any risk located within or without the territory*
11 *of such company, in any manner not prohibited by law.*

AMENDMENT TO
52d G. A. HOUSE BILL No. 450 1921

1

1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 450, page 1, line 7, after the word "charter" insert
2 the words "and for an amount not to exceed \$10,000 on any one risk."



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 8 and 10 of "An Act to organize and regulate county fire insurance companies," approved June 2, 1877, in force July 1, 1877, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 8 and 10 of "An Act to organize
3 and regulate county fire insurance companies," approved June 2, 1877, in force
4 July 1, 1877, as amended, are amended to read as follows:

Sec. 8. Such companies may issue policies only on detached dwellings,
2 barns (except livery, boarding and hotel barns) and other farm buildings, school
3 houses and churches and such property as may be properly contained therein;
4 also other property on the premises and owned by the insured; also live stock
5 (hay and grain in the stack) on the premises of the insured, and anywhere in the
6 territory of the company for any time not exceeding five years and not to extend
7 beyond the limited duration of the charter. *Any such company may cede or ac-*
8 *cept reinsurance on the whole or on any part of any risk located within or with-*

9 out the territory of such company, in any manner not prohibited by law. Said
10 policies may cover loss of, or damage to, live stock, harness and vehicles tempo-
11 rarily taken from the territory of the company. All persons so insured shall give
12 their obligations to the company, binding themselves, their heirs and assigns, to
13 pay their pro rata share to the company of the necessary expenses and of all
14 losses by fire or lightning which may be sustained by any member thereof during
15 the time for which their respective policies are written and they shall also, at the
16 time of effecting the insurance, pay such percentage in cash and such other
17 charge as may be required by the rules and by-laws of the company.

Sec. 10 Any such company may insure property within the limits of the
2 county comprised in the formation of the company, and may insure property in
3 any adjoining county in which no company organized hereunder exists, but such
4 company shall not insure any property within the limits of any city containing
5 over twelve thousand inhabitants, at the time of the organization of such com-
6 pany: *Provided, however,* that any such company may, by the vote of a majority
7 of its members, add to the territory covered by such company and in which it may
8 do business, any number of political or congressional townships contiguous
9 thereto, not exceeding ten, and such company may amend its charter as provided
10 by law, showing such increase of territory.

AMENDMENT TO

52d G. A.

HOUSE BILL No. 451

1921



1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 451, by inserting in line seven after the word

2 "charter" the words "and for an amount not to exceed \$20,000 on any one risk."



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 8 of "An Act to authorize the organization and to regulate county, mutual, windstorm insurance companies," approved July 4, 1889, in force July 1, 1889, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 8 of "An Act to authorize the organization and to regulate county, mutual, windstorm insurance companies," approved July 4, 1889, in force July 1, 1889, as amended, is amended to read as follows:

Sec. 8. Such company may issue policies only on dwellings, barns and other farm buildings, churches and school houses and such property as may properly be contained therein, for any time not exceeding five (5) years, and not to extend beyond the limited duration of the charter. *Any such company may cede or accept re-insurance on the whole or on any part of any risk located within or without the territory of such company, in any manner not prohibited by law.* All persons so insured shall give their obligations to the company, bind-

8 ing themselves, their heirs and assigns to pay their pro rata share to the com-
9 pany of the necessary expenses and of all losses by windstorms which may be
10 sustained by any member thereof during the time for which their re-
11 spective policies are written, and they shall also, at the time of effecting the
12 insurance, pay such percentage in cash and such other charges as may be re-
13 quired by the rules or by-laws of the company.

AMENDMENT TO

52d G. A.

HOUSE BILL No. 452

1921



1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 452, page 1, line 4, after the word "charter"

2 insert the words "and for an amount to exceed \$10,000 on any one risk."



- 1 Introduced by Mr. Flagg, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 8 of "An Act authorizing the organization and to regulate district, mutual, windstorm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 8 of "An Act authorizing the organization and to regulate district, mutual, windstorm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, as amended, is amended to read as follows:

Sec. 8. Such company may issue policies on dwellings, barns or other farm buildings, churches or school houses, town halls and such property as may be properly contained therein; also on horses and cattle on the premises of the assured, and anywhere in the territory of the company, for any time not exceeding five (5) years and not to exceed beyond the limit duration of the charter. *Any such company may cede or accept reinsurance on the whole or on any part of any risk located within or without the territory of such company, in any manner not prohibited by law.* All persons so insured shall give

9 their obligations to the company, binding themselves, their heirs and assigns
10 to pay their pro rata share to the company of the necessary expenses and of
11 losses by windstorm, cyclones or tornadoes, which may be sustained by any
12 member thereof during the time for which their respective policies are written,
13 and they shall also, at the time of effecting the insurance, pay such percentage
14 in cash and such other charges as may be required by the rules and by-laws of
15 the company.

AMENDMENT TO

52d G. A.

HOUSE BILL No. 453

1921



1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 453, page 1, line 6, after the word "charter"

2 insert the words "and for an amount not to exceed \$20,000 on any one risk."



- 1 Introduced by Mr. Gieseler, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 8 of Division III of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 8 of Division III of an Act
3 entitled, "An Act to revise the law in relation to criminal jurisprudence,"
4 approved March 27, 1874, in force July 1, 1874, as amended, is amended to read
5 as follows:

Sec. 8. The court, judge, justice of the peace or *other officer shall* examine
2 the bail, on oath, touching their sufficiency, and may receive other evidence for
3 or against the same, in such manner as he may deem proper. *The statements*
4 *made by the bail on such examination when not taken in open court shall be*
5 *reduced to writing and be signed and sworn to by the parties examined and*
6 *shall be filed with the bail taken by such officer. When such examination of the*
7 *bail is made in open court, the judge shall have the evidence so taken tran-*
8 *scribed and filed with the papers in the case in which the bail is taken.*



- 1 Introduced by Mr. Gieseler, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 6 of an Act entitled, "An Act concerning bail in civil cases," approved January 22, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 6 of an Act entitled "An Act concerning bail in civil cases," approved January 22, 1872, in force July 1, 1872, is amended to read as follows:*

Sec. 6. In any and all cases where the sheriff *or other officer*, shall be by law required to take bail upon any writ or process, such sheriff *or other officer* shall have the power to administer oaths and *it shall be the duty of such sheriff or other officer* to examine the person offered as bail, touching his sufficiency, and shall require such examination to be reduced to writing and signed *and sworn to* by the person offered as bail, *which examination and oath shall be attached to and filed with the bond accepted by such sheriff or other officer.*



- 1 Introduced by Mr. Holaday, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 112 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 112 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, be and the same is hereby amended to read as follows:

Sec. 112. On the petition of one hundred of the free holders of any town or district (or where there may be less than two hundred such free holders, then a majority of them), to the town or district clerk requesting him, when giving notice of the time and place for holding the next annual town or road district election, to give notice that a vote will be taken at said annual election on the question "Shall bonds for road purposes be issued to the amount of \$.....?" such clerk shall, when giving notice of the time and place for

8 holding the next annual town or road district election, also give notice that a
 9 vote will be taken at said annual election on said question, "Shall bonds for
 10 road purposes be issued, to the amount of \$.....?"

11 If in any such petition a special election shall be requested for such pur-
 12 pose, it shall be called as follows:

13 Upon the filing of such petition the town or district clerk shall call such
 14 special town or district election, by posting up in ten of the most public places
 15 in said town or district, at least ten days prior to the day fixed for said special
 16 town or district election, notices of such special town or district election.

17 Said notice in either case shall refer to the filing of the petition and set
 18 forth the question to be voted upon as follows: "Shall bonds for road purposes
 19 be issued to the amount of \$.....?" and the time and place of holding
 20 such election.

21 Such special election shall be held at the place of the last annual town or
 22 district election and shall be conducted and returns thereof be made in the same
 23 manner as regular annual town or road district elections.

24 The vote at such regular or special election shall invariably be by a sep-
 25 arate ballot and shall be in substantially the following form:

Shall bonds for road purposes be	YES	
issued to the amount of \$.....?	NO	

26 And if it shall appear that a majority of the legal voters at said election
 27 on said question voted in favor of said question, the commissioner of highways
 28 and the town or district clerk, as the case may be, shall issue (from time to
 29 time as the work progresses) a sufficient amount of said bonds of said town
 30 or district for the purpose of building or repairing roads, bridges, or any other
 31 work incident to the construction thereof, according to the prayer of said
 32 petition, if set out therein. Said bonds shall be of such denominations, bear
 33 such date, maturity, rate of interest, not exceeding six per cent per annum,
 34 payable annually or semi-annually and be payable at such place as the highway

35 commissioner and clerk shall determine and be disposed of as the necessities
36 and convenience of said town or district may require: *Provided*, that said
37 bonds shall not be sold nor disposed of, either by sale or by payment to contract-
38 ors for labor or materials, for less than their par value, and that such bonds
39 shall be issued in not more than ten annual series, the first series of which shall
40 mature not more than five years from the date thereof, and each succeeding
41 series in succeeding years thereafter. A register of all issues of said bonds shall
42 be kept in the office of the county clerk of the county in which said town or dis-
43 trict is located, showing the date, amount, rate of interest, maturity and the
44 purpose for which said bonds were issued, which information shall be furnished
45 to the county clerk, in writing, by the town or district clerk, and it shall be the
46 duty of such county clerk to extend annually against the property in said town
47 or road district a tax sufficient to pay the interest on said bonds in each year
48 prior to the maturity of such first series and thereafter he shall extend a tax
49 in each year sufficient to pay each series as it matures, together with interest
50 thereon and with the interest upon the unmatured bonds outstanding. Such
51 bonds may be lithographed and the interest for each year evidenced by interest
52 coupons thereto attached, which coupons shall be signed with original or *fac*
53 *simile* signatures by the same officers who executed the bonds.

Sec. 2. Whereas, an emergency exists, therefore this Act shall be in full
2 force and effect from and after its passage and approval.



- 1 Introduced by Mr. Kauffman, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the erection of a memorial in honor of the
soldiers of the World War.

WHEREAS, Camp Merritt, New Jersey, was the largest embarkation camp in
the United States and the camp through which more than one and one-half mil-
lions soldiers were sent abroad in the recent war; and

WHEREAS, A large number of men from Illinois who served in the late war,
passed through this camp on their way to the scene of hostilities; and

WHEREAS, The Camp Merritt Memorial Association proposes to erect a monu-
ment in honor of the soldiers of the World War, at Camp Merritt, at a cost of one
hundred and fifty thousand dollars (\$150,000); and

WHEREAS, The State of New Jersey has appropriated fifty thousand dollars
(\$50,000) to be used in erecting this monument, and other states are expected to
make appropriations for this cause; therefore,

SECTION 1. *Be it enacted by the ePople of the State of Illinois,*
represented in the General Assembly: The sum of one thousand dollars (\$1,000)

3 is appropriated to the Department of Public Works and Buildings, to be used in
4 erecting a memorial at Camp Merritt, New Jersey, in honor of the soldiers of the
5 World War. In erecting this memorial, the Department of Public Works and
6 Buildings shall co-operate with the Camp Merritt Memorial Association.

Sec. 2. This appropriation is subject to the provisions of "An Act in rela-
2 tion to State Finances," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Krump, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act concerning jury commissioners and prescribing their powers and duties.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* In every county of this State now contain-
3 ing, or which may hereafter contain, more than two hundred and fifty thousand
4 (250,000) inhabitants, the judges of the several courts of record of such county,
5 or a majority of them, shall choose three competent and discreet electors, who
6 shall not be, by law, exempt or disqualified from serving as jurors, and who
7 shall not be so chosen on account of party affiliations, who shall be known as
8 jury commissioners. Such commissioners shall, in counties now containing the
9 required number of inhabitants, be chosen on the first Monday of July, 1921,
10 and in counties hereafter containing the required number of inhabitants such
11 commissioners shall be so chosen on the first Monday of July, after it shall have
12 been determined by the last preceding national census that the inhabitants of
13 such county are of the number required. Of the first three so chosen one shall

14 hold his office for one year, one for two years and one for three years, to be
15 determined by lot, and every year thereafter one such officer shall be chosen for
16 the term of three years. Each of such commissioners, before entering upon the
17 duties of his office, shall take and subscribe to an oath of office before one of
18 such judges, and shall execute a bond to the People of the State of Illinois in
19 such sums and with such sureties as shall be required by such judge and be,
20 by him approved, conditioned for the faithful discharge of his duties as such
21 commissioner, during his term of office. The majority of the judges of such
22 county may remove either of such commissioners, assigning reasons therefor,
23 and fill all vacancies occurring in the office of any such commissioner by death,
24 resignation or removal.

Sec. 2. Said commissioners are empowered to provide a suitable room or
2 rooms in which to transact their business, and to incur all other necessary
3 expenses, which shall be paid by warrants drawn by the clerk of the county
4 board, and with the approval of said judges, or a majority thereof, to appoint
5 a clerk and the requisite number of assistants. The clerk or an assistant, if
6 there be one, shall be on duty at the room or rooms of said commissioners each
7 day during the session of court; if there be no clerk, or assistant, then at least
8 one of said commissioners shall, in like manner, be present, if so ordered by the
9 court. The said jury commissioners shall also have power to summon electors
10 to appear before them and to examine them, touching their qualifications for
11 jury service; and each of said commissioners and their clerk and assistants are
12 hereby empowered to administer all oaths or affirmations required in the dis-
13 charge of their official duties. Any circuit court of this State, in any county
14 where this law is in force, or any judge thereof, either in term time or vaca-
15 tion, upon application of any such jury commissioner may compel the attendance
16 of electors and the giving of testimony before the said jury commissioners by
17 attachment for contempt or otherwise, in the same manner as the production of
18 evidence may be compelled before said court. Every person who, having taken

19 an oath or made affirmation as herein provided, shall swear or affirm wilfully,
20 corruptly and falsely, shall be guilty of perjury, and upon conviction shall be
21 punished accordingly. The said jury commissioners shall be allowed a reason-
22 able sum annually for stationery and office expenses, other than salaries, which
23 shall be paid in like manner, and the salaries of the commissioners, clerk and
24 assistants shall be fixed by the county board, and the number of assistants re-
25 quired shall be prescribed by said judges or a majority of them.

Sec. 3. The said commissioners shall from information derived from per-

2 sonal examination or from questionnaires sent to the persons subject to be called
3 as jurors, procure the names of persons who appear qualified to serve as jurors,
4 and the name of each with his place of residence, giving street and number,
5 if any, together with his age and occupation, when ascertained, shall be entered
6 and kept in a book or books, or in other appropriate form, and such names so
7 entered and kept shall be known as the jury list which may be revised, amended,
8 or added to as often and in such way as deemed advisable to preserve a list
9 of eligible jurors, said list to consist of not less than 10% of the electors of
10 said county as shown by the aggregate vote in said county at the last preceding
11 Presidential election, and shall be made up of residents of different parts of the
12 county, and of different occupations. Every person residing within the limits
13 of any such county, upon the receipt of a questionnaire sent to him by said jury
14 commissioners, by mail or otherwise, shall, within five days after the receipt
15 thereof, fill out said questionnaire and sign the same and return by mail to the
16 said jury commissioners and may designate on said questionnaire any two or
17 more terms of the year in which it will be most convenient for him to serve as
18 a juror. Any person who shall wilfully refuse or neglect to return said ques-
19 tionnaire to the jury commissioners within the time prescribed by this Act shall
20 be guilty of a misdemeanor and subject to a penalty of not more than fifty
21 (\$50.00) dollars.

Sec. 4. The said jury commissioners shall select from said jury list the names of those only whom, in their examination, or investigations they shall previously have found to possess the legal qualifications for jury duty, and such names shall each be written on a separate card with the person's age and place of residence as entered on said list, and be placed in the proper jury box herein provided for. The cards containing the names of those selected for grand jury service shall be designated "grand juror," and the cards containing the names of those selected for service on the petit jury shall be designated "petit juror." Selections shall be made of residents of different parts of the county and of different occupations.

Sec. 5. For the cards of those selected for grand jurors there shall be one box known as the grand jury box, and for the cards of those selected for petit jurors there shall be one box known as the main jury box and as many other boxes as there are terms of court during the year in said county which shall be designated according to said terms. Said commissioners shall place the card with the juror's name in the box kept for one of the terms designated by such elector as most convenient for him to serve, or if such box contains an undue proportion of cards, the commissioners may place it in any other box, recognizing the elector's expressed preference when practicable, and the cards of those expressing no choice as to their term of service shall be placed in the main jury box and in the drawing of petit jurors for any term, the drawing shall first be from the box kept for said term and if it becomes exhausted before the requisite number of jurors order are drawn, then the remainder necessary shall be drawn from the main jury box; and if not exhausted, the cards left therein shall remain therein for the next drawing therefrom, or may, in the discretion of the commissioners, at the end of the term, be placed in the main or some other term box, recognizing the elector's expressed preference, when practicable: Provided, however, that if the drawings for the several courts for any term are likely to exhaust names in the box for that term, then the cards

20 shall be drawn therefrom proportionately for the several courts as near as may
21 be to their requirements. But no record shall be made to indicate into which
22 box, kept for petit jurors, any name has been placed, and no information as to
23 the name or address of any person drawn for jury service shall be divulged by
24 the sheriff or any deputy, or by any jury commissioner, clerk or assistant, ex-
25 cept as herein provided. Any person wilfully violating this provision shall be
26 guilty of a misdemeanor and subject to a penalty of not to exceed one thousand
27 dollars (\$1,000.00) or imprisonment for not to exceed one year, in the discretion
28 of the court.

Sec. 6. One or more of the judges of any court of record in said county
2 shall certify to the clerk of the court the number of jurors required at each term,
3 and shall limit the venires to as small a number as possible for the proper work
4 of the term. The said clerk shall then repair to the office of the jury commis-
5 sioners and in the presence of at least two of said commissioners, proceed to
6 draw at random from said jury box or boxes as aforesaid, after the same shall
7 have been well shaken, the necessary number of names and shall certify the
8 same to the sheriff to be by him summoned* according to law. If more jurors
9 are needed during such term of court, the court shall so certify, and they shall
10 be drawn and summoned as above provided forthwith; provided, that it shall be
11 the duty of said jury commissioners to have and maintain at all times in said
12 main box and the box for any term, for which the drawing is made, not less than
13 eight thousand (8,000) names in the aggregate, and in said grand jury box not
14 less than five hundred (500) names. The sheriff shall cause the summons to be
15 served upon the persons drawn as jurors by registered mail or by leaving a
16 copy with the person summoned, and each juror so served with summons shall
17 appear personally in court upon the return day thereof and shall not be ex-
18 cused from service upon the jury except for sickness, death, serious prospective
19 business losses, or other good and sufficient cause which may lead to a serious
20 injustice if the person so summoned is compelled to serve, unless exempt or

21 disqualified by law. Every juror shall personally appear in court each day
 22 during the term in answer to the roll call to be called by the clerk and shall not
 23 absent himself unless excused for the day or any number of days by the court.
 24 Any juror excused for any number of days during the term shall not report in
 25 person for such days and shall not be entitled to juror's fees for the days for
 26 which he is excused by the court from so reporting for service. Any person
 27 summoned as a juror failing to respond to the summons as aforesaid, shall be
 28 subject to attachment for contempt of court and it shall be the duty of the judge
 29 to enforce this provision of the law.

Sec. 7. Whenever a grand jury shall be required by law or order of the
 2 court it shall be drawn from the grand jury box and summoned in like manner
 3 as provided in the last section. At the end of each term of court the said jury
 4 commissioners shall ascertain the names of all persons who have served and all
 5 persons who have been excused as jurors during said term, and the names of
 6 such as have served shall be then checked off from the said jury list and shall
 7 not again be selected for jury service so long as it is practicable to select other
 8 qualified persons who have not served as jurors and the names of all who have
 9 been excused and who possess the qualifications for jury service shall be again
 10 placed in the jury box, the person's previously expressed preference or then
 11 expressed preference of two or more terms as aforesaid, to be recognized by
 12 said commissioners as far as practicable.

Sec. 8. No exception, objection or challenge to any juror, grand juror or
 2 any panel of jurors shall be allowed at any time because of any failure to comply
 3 with the provisions of this Act, unless the party raising the same shall show to
 4 the court some substantial injustice might result because of the error or defect
 5 charged.

Sec. 9. "An Act to amend an Act entitled, 'An Act to authorize judges
 2 of courts of record to appoint jury commissioners and prescribing their powers
 3 and duties,' approved June 9, 1897, in force July 1, 1897, as amended, and
 4 each and every section thereof is hereby repealed.



- 1 Introduced by Mr. Overland, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act concerning habitual criminals.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Where a person is hereafter convicted of
3 a felony, who has been, before that conviction, convicted in this or any other
4 State of any other crime, or where a person is hereafter convicted of a misde-
5 meanor, who has been already convicted of a felony or five times convicted in
6 this or any other State of a misdemeanor, he may be adjudged by the Court, in
7 addition to any other punishment inflicted upon him, to be an habitual criminal.

Sec. 2. Any person adjudged an habitual criminal shall forfeit his right
2 to vote at any election held in this State unless restored to citizenship by a par-
3 don from the Governor.

Sec. 3. Any person having been previously adjudged an habitual criminal
2 upon conviction for carrying concealed weapons shall be imprisoned in the pen-
3 itentiary for not less than one nor more than five years.

Sec. 4. The Governor may grant a pardon which shall relieve from such
2 judgment of habitual criminality as from any other sentence; but upon a subse-
3 quent conviction for felony of a person so pardoned, a judgment of habitual
4 criminality may be again pronounced on account of the first conviction notwith-
5 standing said pardon.



- 1 Introduced by Mr. Rutshaw March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 239 and 240 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 239 and 240 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, are amended to read as follows:*

Sec. 239. It shall be the duty of the State's attorneys of the several counties to enforce the collection of all fines, forfeitures and penalties imposed or incurred in the courts of record of their respective counties, and to pay the same to the county superintendent of the county wherein the same have been imposed or incurred, retaining therefrom the fees and commissions allowed them by law. *If the State's attorney of any county shall refuse or neglect for a period of six months after judgment shall be entered therefor to collect or enforce the collection of any such fines, forfeitures and penalties so imposed or incurred, it shall*

9 *thereafter be the duty of the Attorney General to enforce the collection of any*
10 *such fines, forfeitures and penalties, and upon collection to satisfy the same in the*
11 *name of the People of the State of Illinois. All such fines, forfeitures and penal-*
12 *ties so collected by the Attorney General shall be paid over to the distributive*
13 *school fund of the State and distributed by the proper authorities.*

Sec. 240. It shall be the duty of the justices of the peace to enforce the col-
2 lection of all fines, forfeitures and penalties imposed by them; and to pay the
3 same to the county superintendent of the county in which the same were im-
4 posed. *If any justice of the peace shall, for a period of six months after judg-*
5 *ment shall be entered therefor, refuse or neglect to collect any such fine, for-*
6 *feiture or penalty imposed by him, it shall be the duty of the Attorney General to*
7 *enforce collection thereof as hereinbefore in this Act provided and to pay the*
8 *same into the distributable school fund of the State.*



- 1 Introduced by Mr. Rutshaw, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to add Section 20 to "An Act to revise the law in relation to weights and measures," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 20 is added to "An Act to revise
3 the law in relation to weights and measures," approved June 27, 1913, in force
4 July 1, 1913, as amended, this section to read as follows:

Sec. 20. *It shall be unlawful to sell or offer to sell gasoline by use of a*
2 *mechanical pump or device which is not constructed or equipped so that the*
3 *purchaser can see the measurement of the gasoline which he purchases. Any*
4 *person who violates this section is guilty of a misdemeanor and shall be fined*
5 *not less than five dollars nor more than five hundred dollars.*



- 1 Introduced by Mr. Searcy, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to provide for the certification of librarians in the free public libraries of this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* After January 1, 1922, it shall be unlawful for any person or board to employ any person as a librarian in any free public library in this State, unless such librarian shall have a valid librarian's certificate, issued by the Department of Registration and Education, pursuant to the provisions of "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein," approved March 7, 1917, and in force July 1, 1917, as amended.

Sec. 2. The term "free public library" shall include all libraries in this State which are supported in whole or in part by funds raised by taxation and which are open to the public. It shall include the Illinois State Library, the Illinois Library Extension Commission and the high school libraries. It

5 shall not include the Joint Legislative Reference Bureau or any law library.
 6 This Act shall not apply to any librarian engaged in any library maintained by
 7 a city, town, township, or village having a population of less than 2,000 inhab-
 8 itants by the last preceding Federal census.

9 The term "librarian" shall include any person who serves as a librarian or
 10 library assistant, children's librarian, reference librarian or cataloguer, or one
 11 who is engaged in any other library work, but shall not include those perform-
 12 ing chiefly clerical service, page service or janitor service, nor shall it include
 13 any student attendant employed in any of the libraries of the educational insti-
 14 tution in which he is enrolled as a student.

Sec. 3. No person is qualified to receive a librarian's certificate of any
 2 grade unless:

3 (a) He is at least eighteen years of age;

4 (b) He is of good moral character and temperate habits; and

5 (c) He has completed four full years of study in a high school approved
 6 by the Department of Public Instruction, or any school on the accredited list
 7 of the University of Illinois, or has completed an equivalent course of study as
 8 determined by an examination conducted by the Department of Registration and
 9 Education.

Sec. 4. The Department of Registration and Education shall have power
 2 to issue four grades of librarians' certificates. The Department shall hold
 3 such examinations as may be necessary to enable applicants to obtain certifi-
 4 cates in each grade, but may accept the diploma of any library school approved
 5 by the Department in lieu of such examination.

6 Permits for temporary appointments may be granted in case of emergency.
 7 Such permits shall be for not more than one year, and shall not be renewable
 8 and no person shall be granted such permit a second time until one full year has
 9 elapsed after the expiration of a previous permit.

10 Requirements for librarian's certificates shall be as follows:

11 (a) For a one year certificate there shall be required: either (1) comple-
12 tion of an approved summer library course of not less than six weeks or
13 (2) completion of six months in a recognized library training class or (3) a
14 successful elementary examination in library organization and management.

15 (b) For a three year certificate there shall be required: either (1) com-
16 pletion of one full year in an approved library school or (2) completion of two
17 full years in a recognized college or university, and an approved summer
18 library course of not less than six weeks, or (3) completion of an approved
19 summer library course of not less than six weeks, or six months in a recognized
20 library training class and three years successful experience in an approved
21 library.

22 (c) For a six year certificate there shall be required: either (1) gradua-
23 tion from a recognized college or university (or the completion of an equiva-
24 lent preparation) and in addition one full year in an approved library school;
25 or (2) completion of two full years in a recognized college or university, and
26 in addition one full year in an approved library school and three years success-
27 ful experience in an approved library or (3) graduation from a recognized col-
28 lege or university (or the completion of an equivalent training) and in addi-
29 tion completion of an approved summer library course of not less than six
30 weeks or a recognized library training class of not less than six months, tested
31 by an advanced examination or a thesis on some subject in library administra-
32 tion, and also two years successful experience in an approved library.

33 (d) For a life certificate there shall be required: either (1) graduation
34 from a recognized college or university, (or completion of an equivalent prep-
35 aration) and in addition successful completion of two full years of study in an
36 approved library school and one year's successful experience in an approved
37 library; or (2) graduation from a recognized college or university, (or com-
38 pletion of an equivalent preparation) and in addition completion of one full
39 year of study in an approved library school and three years successful expe-
40 rience in an approved library or libraries or (3) completion of three years in

41 a recognized college or university and in addition one full year of study in an
 42 approved library school, and five years successful experience in an approved
 43 library or libraries; or (4) ten years successful experience in an approved
 44 library or libraries, and in addition an acceptable thesis on some subject of
 45 library administration. The candidate may submit publications of his own on
 46 library topics which may be accepted in lieu of the thesis.

47 Any requirement of work in a college or university, library, library school,
 48 summer library course, or library training class may be satisfied by work in
 49 an approved institution in this or any other state.

50 The qualifications necessary for each grade of certificate shall be published
 51 in pamphlet form by the Department, and distributed free of charge to all per-
 52 sons applying therefor. The subjects to be embraced or covered by any exam-
 53 ination to determine the fitness of applicants for certificates of any grade
 54 shall also be published and distributed free of charge to all persons applying
 55 therefor.

Sec. 5. Any six year, three year, or one year certificate which has expired,
 2 shall be renewed not more than two years after the holder thereof has ceased
 3 working as a librarian, upon the payment of the required renewal fee, and upon
 4 presentation of a certificate signed by the person, board or corporation last
 5 employing such applicant, certifying that the work done by such applicant has
 6 been satisfactory.

7 One year certificates shall be renewable, upon the payment of the required
 8 renewal fee from year to year for a total of not more than five years.

Sec. 6. Any person who is at least eighteen years of age and who is of
 2 good moral character and temperate habits and who, on July 1, 1921, has had
 3 one year's experience and is then acting as a librarian in a free public library
 4 in this State, shall be entitled, upon application, to receive a three year certifi-
 5 cate without regard to any other qualifications prescribed by this Act or by
 6 the Department of Registration and Education. Such application shall be made

7 not later than January 1, 1922. Certificates issued pursuant to the provisions
8 of this section shall be renewed in accordance with the provisions of Section 5
9 of this Act.

Sec. 7. Every person who desires to obtain a librarian's certificate of any
2 grade shall apply therefor to the Department of Registration and Education,
3 in writing on blanks prepared and issued by the department. Each application
4 shall contain proof that applicant possesses the particular qualifications required
5 of an applicant for such grade of certificate, shall be verified by the applicant
6 under oath, and shall be accompanied by the fee required in Section 9.

Sec. 8. Examinations of applicants for librarians' certificates of any one
2 or more grades shall be held by the Department of Registration and Educa-
3 tion at such times and places as it may determine.

Sec. 9. An applicant for a librarian's certificate shall be required to pay
2 the following fees:

3 (a) For an examination to determine his fitness for a certificate of any
4 grade, one dollar (\$1.00).

5 (b) For a certificate of any grade, one dollar (\$1.00).

6 (c) For the renewal of any certificate, one dollar (\$1.00).

Sec. 10. The Department of Registration and Education may either refuse
2 to issue, or may suspend, or may revoke any certificate or registration for any
3 of the following causes:

4 (a) Conviction of a felony, as shown by a certified copy of the record of
5 the court of conviction;

6 (b) The obtaining of, or an attempt to obtain, a certificate of registra-
7 tion, or employment as a librarian, or money, or any other thing of value by
8 fraudulent misrepresentation.

9 (c) Gross incompetency.

10 The Department of Registration and Education may neither refuse to
 11 renew, nor suspend, nor revoke any certificate of registration, however, for
 12 any of these causes, unless the person accused has been given at least twenty
 13 days' notice in writing, of the charges against him or her, and a public hearing
 14 by the Department of Registration and Education.

15 Upon the hearing of any such proceeding, the Director of Registration
 16 and Education, the Assistant Director of Registration and Education, or the
 17 Superintendent of Registration, may administer oaths, and the Department of
 18 Registration and Education may procure, by its subpoena, the attendance of
 19 witnesses and the production of relevant books and papers.

20 Any circuit court, or any judge of a circuit court, either in term time or in
 21 vacation, upon the application, either of the accused or of the Department of
 22 Registration and Education may, by order fully entered, require the attendance
 23 of witnesses and the production of relevant books and papers, before the
 24 Department of Registration and Education, in any hearing relating to the re-
 25 fusar, suspension or revocation of certificates of registration. Upon refusal or
 26 neglect to obey the order of the court or judge, the court or judge may compel
 27 by proceedings for contempt of court, obedience of its or his order.

 Sec. 11. Upon payment of the required fee, an applicant who is a librarian,
 2 registered or certified under laws of another state or territory within the United
 3 States, may be granted a certificate by the Department of Registration and
 4 Education at its discretion, upon the following conditions:

5 (a) That the applicant is at least eighteen years of age and of good moral
 6 character and temperate habits; and

7 (b) That the requirements for the registration or certifying of librarians
 8 of the particular state or territory were, at the date of the certificate, substan-
 9 tially equal to the requirements in force in this State at the time the application
 10 is made; and

11 (c) That the applicant has acted as a librarian within two years prior to
 12 the date of the application.

Sec. 12. Any person who holds a valid librarian's certificate, issued as
2 provided in this Act, may be appointed and his salary may be fixed regardless
3 of the terms of any civil service law.

Sec. 13. The Department of Registration and Education may adopt rea-
2 sonable rules and regulations relating to the enforcement of the provisions of
3 this Act.

Sec. 14. None of the above enumerated functions and duties shall be exer-
2 cised by the Department of Registration and Education, except upon the action
3 and report in writing of five persons, one of whom shall be a member of the
4 faculty of the University of Illinois Library School, and the other four shall
5 be competent librarians who have had five years experience as such, designated
6 from time to time by the Director of Registration and Education to take such
7 action and make such report; and after the first year such persons must be
8 holders of a six year or a life librarian's certificate.

Sec. 15. The Department of Registration and Education shall keep a record
2 which shall be open to public inspection at all reasonable times, of its proceed-
3 ings relating to the issuance, refusal to issue, suspension and revocation of
4 certificates or registration. This record shall also contain the name, places of
5 business and residence, and the date of the certificate of every librarian in this
6 State.



- 1 Introduced by Mr. Searcy, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend Section 60 of "An Act in relation to the civil administration of the State government and to repeal certain acts therein named," approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 60 of "An Act in relation to the
3 civil administration of the State government and to repeal certain Acts therein
4 named," approved March 7, 1917, in force July 1, 1917, as amended, is amended
5 to read as follows:

Sec. 60. The department of registration and education shall, wherever the
2 several laws regulating professions, trades and occupations which are devolved
3 upon the department for administration so require, exercise, in its name, but
4 subject to the provisions of this Act the following powers:

5 1. Conduct examinations to ascertain the qualifications and fitness of appli-
6 cants to exercise the profession, trade or occupation for which an examination

7 is held; and pass upon the qualifications of applicants for reciprocal licenses,
8 certificates and authorities;

9 2. Prescribe rules and regulations for a fair and wholly impartial method
10 of examination of candidates to exercise the respective professions, trades or
11 occupations;

12 3. Prescribe rules and regulations defining, for the respective professions,
13 trades and occupations, what shall constitute a school, college or university, or
14 department of a university, or other institutions, reputable and in good standing
15 and to determine the reputability and good standing of a school, college or uni-
16 versity, or department of a university, or other institution, reputable and in
17 good standing by reference to a compliance with such rules and regulations;

18 4. Adopt rules providing for and establishing a uniform and reasonable
19 standard of maintenance, instruction and training to be observed by all schools
20 for nurses which are to be deemed reputable and in good standing and to deter-
21 mine the reputability and good standing of such schools for nurses by reference
22 to compliance with such rules and regulations;

23 5. Establish a standard of preliminary education deemed requisite to ad-
24 mission to a school, college, or university, and to require satisfactory proof of
25 the enforcement of such standard by schools, colleges and universities;

26 6. Conduct hearings on proceedings to revoke or refuse renewal of licenses,
27 certificates or authorities of persons exercising the respective professions, trades
28 or occupations, and to revoke or refuse to renew such licenses, certificates or
29 authorities;

30 7. Formulate rules and regulations when required in any Act to be admin-
31 istered.

32 None of the above enumerated functions and duties shall be exercised by the
33 department of registration and education, except upon the action and report in
34 writing of persons designated from time to time by the director of registration
35 and education to take such action and to make such report, for the respective
36 professions, trades and occupations as follows:

37 For the veterinary practitioners, three competent veterinary surgeons, not
38 more than two of whom shall be graduates of the same veterinary college, and
39 neither of whom shall be connected with any veterinary college in any capacity;

40 For the horseshoers, five persons, consisting of three practical master horse-
41 shoers, who have been for at least three years prior to their designation engaged
42 in the occupation of horseshoeing in this State, and two journeymen horsesho-
43 ers, who have been for at least three years prior to their designation engaged in
44 the occupation of horseshoeing as journeymen horseshoers in this State.

45 For the architects, five persons, one of whom shall be a member of the fac-
46 ulty of the University of Illinois, and the other four of whom shall be architects
47 residing in this State, who have been engaged in the practice of architecture at
48 least ten years;

49 For the structural engineers, five persons, one of whom shall be a professor
50 in the civil engineering department of the University of Illinois, and the others
51 of whom shall be structural engineers of recognized standing, who have had not
52 less than ten years' practical experience, then practicing as structural engi-
53 neers in this State;

54 For the medical practitioners, embalmers and midwives, five persons, all of
55 whom shall be reputable physicians licensed to practice medicine and surgery in
56 this State, no one of whom shall be an officer, trustee, instructor or stockholder
57 or otherwise interested directly or indirectly, in any medical college or medical
58 institution. For the purpose of preparing questions and rating papers on prac-
59 tice peculiar to any school, graduates of which may be candidates for registra-
60 tion or license, the director may designate additional examiners whenever occa-
61 sion may require;

62 For the pharmacists, five persons, each of whom shall be a competent reg-
63 istered pharmacist, in the State, and shall have had ten years' practical exper-
64 ience in the dispensing of physicians' prescriptions since such registration;

65 For the dentists, five persons, each of whom has been a licensed practi-
66 tioner of dentistry or dental surgery in this State for a period of five years or

more, and no one of whom is in any way connected with or interested in any dental college or dental department of any institution of learning;

For the registered nurses, five persons, each of whom is a registered nurse in this State and has been graduated for at least a period of five years from a school for nurses in good standing, and, during the course of training, has served for two years in a general hospital, and three of whom shall have had at least two years' experience in educational work among nurses;

For the optometrists, five persons from among such practicing optometrists of the State as have had not less than five years' practical experience in optometry, no one of whom is a member of any optical school or college or instructor in optometry or person connected in any way therewith, or is a manufacturer, jobber or jobbing representative;

For the barbers, three practical barbers, each of whom has been for at least five years preceding his designation engaged in the occupation of barbering in this State.

For the librarians, five persons, one of whom shall be a member of the faculty of the University of Illinois Library school, and the other four shall be competent librarians who have had five years' experience as such, designated from time to time by the director of Registration and Education to take such action and make such report; and after the first year such persons must be holders of a six year or life librarian's certificate.

The action or report in writing of a majority of the persons designated for any given trade, occupation or profession, shall be sufficient authority upon which the director of registration and education may act.

In making the designation of persons to act for the several professions, trades and occupations the director shall give due consideration to recommendations by members of the respective professions, trades and occupations and by organizations therein.

Whenever the director is satisfied that substantial justice has not been done either in an examination or in the revocation of or refusal to renew a license, certificate or authority, he may order re-examinations or rehearings by the same or other examiners.



1 Introduced by Mr. Searcy, March 22, 1921.

2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 182, 186, 194, 201, 202, 203, 207, 210, 211, 213, 216, 218, 221 and 225 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872, and Acts amendatory and supplementary thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 182, 186, 194, 201, 202, 203, 207, 210, 211, 213, 216, 218, 221 and 225 of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, and Acts amendatory and supplementary thereto, be, and the same are hereby amended to read as follows:

Sec. 182. At any time after the tenth day of May next after such delinquent taxes and special assessments on lands and lots shall become due, the collector shall publish an advertisement, giving notice of the intended application for judgment for sale of such delinquent lands and lots, in a newspaper printed and published in his county, if any such there be, and if there be no such paper

6 printed and published in his county, then in the nearest newspaper in this State
7 to the county seat of such county. Said advertisement shall be once published
8 at least two weeks previous to the term of the County Court at which judgment
9 is prayed, and shall contain a list of the delinquent lands and lots upon which
10 the taxes or special assessments remain due and unpaid, the names of owners, if
11 known, the total amount due thereon, and the year or years for which the same
12 are due. Such collector shall give notice that he will apply to the County Court
13 at the.....term thereof, for judgment against said lands and lots
14 for said taxes, special assessments, interest and costs, and for an order to sell
15 said lands and lots for the satisfaction thereof; and shall also give notice that,
16 on the.....Monday next succeeding the day fixed by law for the commence-
17 ment of such term of the said County Court, all the lands and lots for the sale
18 of which an order shall be made, will be exposed to public sale at the building
19 where the County Court is held in said county, for the amount of taxes, special
20 assessments, interest and cost due thereon; and the advertisement published
21 according to the provisions of this section shall be deemed to be sufficient notice
22 of the intended application for judgment and the sale of lands and lots under
23 the order of said court. Where the publisher of any paper that may have been
24 selected by the collector shall be unable or unwilling to publish such advertise-
25 ment, the collector shall select some other newspaper, having due regard to the
26 circulation of such paper. *Provided*, that in cities having a population of one
27 hundred thousand or more by the last preceding census of the United States, or
28 of this State, separate advertisements may be made giving notice of an intended
29 application for judgment and for an order of sale on account of delinquent spe-
30 cial assessments at any time after the first day of August next after such spe-
31 cial assessments shall have become delinquent, the procedure in such case to be
32 in all other respects except as to the time of making advertisement, application
33 for judgment and sale, the same as in the case of delinquent general taxes.

Sec. 186. The County Collector shall at least five days before the date of
2 sale of delinquent lands or lots, upon which taxes for special assessments re-

main due and unpaid, send a notice by registered mail to the person named as grantee in the last deed recorded in the office of the Register of Deeds, conveying such property, at the address given in said deed, and also to the person shown by the Collector's book to have paid the taxes or special assessments on such lands or lots for the previous year, giving notice of the sale of such lands or lots, and date of sale, describing the lands or lots and the amount of taxes or special assessments, together with interest and costs, due thereon. For such notice the county collector shall charge twenty (20) cents, to be taxed and collected as costs.

It shall be the duty of the person paying taxes or special assessments to advise the collector of his name and address, and of his interest in said property, and it shall be the duty of the collector to keep a record of same. *Provided, however,* that the county collector need not send two notices if the grantee in the last deed recorded and the person so paying the taxes or special assessments are the same. *Provided, further,* that the failure on the part of the collector to give the notice required in this section shall not be deemed an irregularity which will affect the validity of the sale of said property for taxes or special assessments, or affect the validity of any other subsequent transaction in relation thereto.

Sec. 194. On the day advertised for sale, the clerk of the County Court, assisted by the collector, shall carefully examine said list upon which judgment has been rendered, and see that all payments have been properly noted thereon, and said clerk shall make a certificate to be entered on said record, following the order of court that such record is correct, and that judgment was rendered upon the property therein mentioned for the taxes, interest and costs due thereon, which certificate shall be attested by the clerk under seal of the court and shall be the process on which all real property or any interest therein shall be sold for taxes, special assessments, interest and costs due thereon, and may be substantially in the following form:

11 "I,, clerk of the County Court, in and for the
 12 county of.....do hereby certify that the foregoing is a true
 13 and correct record of the delinquent real estate in said county, against which
 14 judgment and order of sale was duly entered in the County Court of said county,
 15 on the.....day of....., 19..., for the amount of the taxes,
 16 special assessments, interest and costs due severally thereon, as therein set
 17 forth, and that the judgment and order of court in relation thereto fully
 18 appears on said record."

19 *Provided*, that in the event the clerk of the County Court shall refuse, or
 20 for any reason fail to make said certificate at the time required, or at a subse-
 21 quent date, the county clerk and the county collector, shall proceed with such
 22 sale in the manner hereinafter provided, and such failure on the part of the clerk
 23 of the County Court shall not invalidate said sale, or any subsequent trans-
 24 action hereinafter provided.

 Sec. 201. The collector, in person or by deputy, shall attend at the court-
 2 house in his county, on the day specified in the notice for the sale of real estate
 3 for taxes, and then and there, between the hours of nine o'clock in the forenoon
 4 and four o'clock in the afternoon, proceed to offer for sale, separately and in
 5 consecutive order, each tract of land or town or city lot in said list on which the
 6 taxes, special assessments, interest or costs have not been paid. The sale shall
 7 be continued from day to day, until all the tracts or lots in the delinquent list
 8 shall be sold or offered for sale: *Provided, however*, that any city, village or
 9 town interested in the collection of any tax or special assessment, may, in de-
 10 fault of bidders for same, withdraw from collection any such special assessment
 11 levied against any such tract of land or lot by the corporate authorities of such
 12 city, village or town, and in case of such withdrawal there shall be no sale of
 13 such tract of land or lot on account of the delinquent special assessment thereon.

14 *Provided further, however*, that when a tract of land or town or city lot in
 15 said list shall be sold for general taxes, the purchaser of such general tax shall

16 at the same time have allotted to him the special assessment against the same
17 property, although the special assessments may be listed separately from the
18 general taxes.

Sec. 202. The person at such sale offering to pay the amount due on each
2 tract or lot for the least percentage thereon as penalty, shall be the purchaser of
3 such tract or lot: *Provided*, that no bid shall be accepted for a penalty exceed-
4 ing fifteen (15) per cent of the amount of such tax or special assessment.

Sec. 203. Every tract or lot so offered at public sale, and not sold for want
2 of bidders, unless it is released from sale by the withdrawal from collection of a
3 special assessment levied thereon, shall be forfeited to the State of Illinois:
4 *Provided, however*, that whenever the county judge, county clerk and county
5 treasurer shall certify that the taxes and special assessments not withdrawn
6 from collection on forfeited lands equal or exceed the actual value of such lands,
7 the officer directed by law to expose for sale lands for delinquent taxes shall, on
8 the receipt of such certificate, offer for sale to the highest bidder at the same sale
9 or at any succeeding tax sale, the tract or lands in such certificate described.
10 And a certificate of purchase shall be issued to the purchaser at such sale as in
11 other cases in this Act provided; and the county collector shall receive credit in
12 his settlement with the custodian of the several funds, for which such tax was
13 levied for the amount not realized by such sale. And the amount received
14 from any such sale shall be paid by such collector, pro rata, to the custodian of
15 the several funds entitled thereto.

Sec. 207. The county clerk shall make out and deliver to the purchaser of
2 any lands or lots sold as aforesaid a certificate of purchase, to be countersigned
3 by the collector, describing the lands or lots sold as the same was described in the
4 delinquent list, the name and address of the person last paying taxes upon said
5 property, as shown by the collector's records, date of such sale, the amount of
6 taxes, special assessments, interest and cost for which the same was sold, and

7 that payment has been made therefor. If any person shall become the purchaser
8 of more than one tract or lot, he may have the whole or one or more of them
9 included in one certificate. Such certificate of purchase shall be assignable by
10 endorsement and an assignment thereof shall vest in the assignee or his legal
11 representatives, all the right and title of the original purchaser: *Provided,*
12 that said clerk shall include in such certificate of purchase not to exceed one lot,
13 block, tract or piece of land as listed, assessed and sold in one description,
14 except in cases where such lot, block, tract or piece of land is owned by one party
15 or person.

16 Upon the delivery of a tax sale certificate for the sale of delinquent taxes or
17 special assessments, the lien which the State or taxing subdivision thereof, had
18 on the real estate, shall remain in full force and shall be transferred by such
19 tax sale certificate to the purchaser thereof, and shall vest in him, his heirs and
20 assigns, who shall be entitled to recover from the owner of such lands, the
21 owner of any life estate therein, or any other person personally liable for the
22 payment of such taxes, the amount of such taxes, together with all lawful
23 charges, with interest at twenty (20) per cent per annum from the date of such
24 sale, and also the amount of all subsequent taxes paid, with like interest, and
25 such claim shall be a lien upon such lands, and the same shall be bound for the
26 final payment thereof, and such lien may be foreclosed in equity in the Circuit
27 Court of the county wherein such real estate is situated, at any time after two
28 years from the date of such sale, and may be sold under the order of the court
29 by the sheriff of such county, and such order shall designate the time, place
30 and manner of such sale, and upon such sale the equity and right of redemption
31 of all defendants in such action, and all persons claiming under them, shall be
32 forever foreclosed. In case of the sale of such land, the sheriff shall, upon re-
33 ceipt of the purchase money, execute to the purchaser a deed in fee simple, and
34 there shall be no redemption from such sale, and the purchaser shall have the
35 right of immediate possession of such real estate. The amount received at such
36 sale by the sheriff shall be disbursed, first to pay the necessary expenses of such

37 sale, and, second, to pay the amount found to be due the complainant, and if
38 there shall be any surplus it shall be paid to the defendants as their interests
39 may appear, as determined by the court.

Sec. 210. Real property sold under the provisions of the preceding Acts
2 may be redeemed at any time before a deed for same is issued in accordance
3 with the provisions of succeeding sections, or until judgment shall have been
4 entered in a proceeding in equity foreclosing the lien against said property
5 evidenced by said tax sale certificate, by payment in legal money of the United
6 States to the county clerk of the proper county, for the benefit of the legal holder
7 of the tax sale certificate, and to be paid to such legal holder upon presentation
8 of the tax sale certificate, the amount for which the same was sold, plus one
9 dollar (\$1.00), together with penalties and costs, as follows:

10 For each six months, or fraction thereof, the penalty to be paid shall be the
11 principal sum for which the same was sold, multiplied by the percentage at
12 which the same was sold, and the person redeeming shall also pay the amount
13 of all taxes, and special assessments, installments of which accrued after such
14 sale, where the purchaser at the tax sale, or his assignee, shall have paid subse-
15 quent tax or special assessments, more than six months after such sale, with a
16 penalty of seven (7%) per cent of the principal sum of such subsequent taxes
17 and special assessments, for each six months or a fraction thereof, and such
18 person so redeeming shall also pay costs, if redeemed after a period of eighteen
19 months from the date of sale, of fifty (50c) cents for obtaining abstract infor-
20 mation, three (\$3.00) dollars for preparing and serving of notices upon the
21 parties in interest; two (\$2.00) dollars for preparing necessary proofs and affi-
22 davits of service; and in addition the actual cost of publication of notice, if there
23 shall be filed with the county clerk a statement of such publication costs. It is
24 hereby made the duty of the county clerk to include the foregoing items in his
25 certificate of redemption: *Provided, however,* that the county clerk shall not be
26 required to include any subsequent taxes or special assessments in his certifi-
27 cate of redemption, nor shall the payment thereof be a charge upon the land

28 sold for taxes, unless the purchaser, assignee, or holder of the tax certificate of
 29 sale shall have filed with the county clerk, before redemption, an official, orig-
 30 inal or duplicate tax collector's receipt for the payment of such subsequent taxes
 31 or special assessments, and it shall be the duty of the tax collector to furnish
 32 such duplicate receipts. If the real property of any minor heir, idiot, or insane
 33 person, shall be sold for non-payment of taxes or special assessments, the same
 34 may be redeemed at any time after sale and before the expiration of one year
 35 after such disability be removed, upon the terms specified in this section, and
 36 upon the payment of ten (10%) per cent per annum, the amount due including
 37 penalties from and after the expiration of two years from the date of sale, which
 38 redemption may be made by themselves, or by any person in their behalf.
 39 Tenants in common, or joint tenants, shall be allowed to redeem their individual
 40 interests in real property sold under the provisions of this Act, in the same
 41 manner and under the terms specified in this section for the redemption of
 42 other real property; any redemption made shall inure to the benefit of the
 43 person having the legal or equitable title to the property redeemed, subject to
 44 the right of the person making the same, to be reimbursed by the person bene-
 45 fited.

Sec. 211. Before any tax deed shall issue, or judgment in any foreclosure
 2 be entered, all subsequent taxes or installments of special assessments which
 3 shall be due, must be paid.

Sec. 213. Whenever any tract or lot has been sold and such tract or lot
 2 was not subject to taxation, or the taxes or special assessments have been paid
 3 previous to the sale, or there is a double assessment, or where the description
 4 is void for uncertainty, or where the sale is illegal for any reason, it shall be the
 5 duty of the county clerk to make an entry opposite such tracts or lots in the sale
 6 and redemption record, that the same was erroneously sold, and such entry
 7 shall be prima facie evidence of the fact therein stated; and, unless such fact is
 8 disproved, the county collector shall, on demand of the owner of the certificate

of sale, or on demand of the grantee in a county clerk's deed issued in due course, or his successor in title, refund the amount paid, together with any subsequent payment of taxes or special assessments, and shall cancel such certificate, or, if county clerk's deed has been issued, shall require a reconveyance from such grantee releasing his interest in said property, so far as it relates to such tract or lots. The collector shall take credit in settlement of his accounts thereafter with such officials as he may be liable to for their pro rata amounts respectively paid as aforesaid.

Sec. 216. Hereafter no purchaser, or assignee of such purchaser, of any real estate at a sale of delinquent taxes, or special assessments of any character whatever, shall be entitled to a deed for such real estate so purchased within a period of two years from the date of such sale of such real estate, and shall only be entitled to a deed after the expiration of said two years, if the following conditions have been complied with, to-wit:

Such purchaser, or assignee, shall serve or cause to be served, a notice of such purchase on all occupants of such real estate personally, and shall also serve, or cause to be served, upon the person in whose name the same was taxed, or specially assessed, and upon the owners or persons interested in said real estate of record, including trustees or mortgagees of record, notice by sending a true copy of said notice through the United States mail properly addressed to each of said parties, as, and if, given in the recorded document evidencing their ownership or interest, and such notice shall be sent by registered mail, with all postage prepaid: *Provided*, that if any of said parties shall have filed with the county collector his name and address subsequent to the date of such recorded document, then said registered notice shall be mailed to such address. The notice to be served as aforesaid shall be addressed to the party, or parties, upon whom service is to be made, and shall state the description of the property, the date the same was sold, in whose name it was taxed, or specially assessed, for what year taxed or specially assessed, and that application will be made to

22 the county clerk for a deed to such property at any time after three months
 23 from the first day of the month next succeeding the month in which service is
 24 made. If the post office address of any of said persons does not appear in the
 25 recorded document evidencing their title, and if no address shall be filed with
 26 the county collector as aforesaid, then such purchaser, or his assignee, shall
 27 publish such notice in some newspaper printed and published in such county,
 28 and if no newspaper is printed in said county, then in a newspaper that is pub-
 29 lished in this State nearest to the county seat of the county in which said real
 30 estate is situated, which notice shall be inserted three times. Such service shall
 31 be deemed to be completed upon the date of the last insertion of the publication.

Sec. 218. In case any person shall be compelled to publish such notice in a
 2 newspaper, then, before any person who may have a right to redeem such lands
 3 or lots from such sale shall be permitted to redeem, he shall pay the officer or
 4 person who by law is authorized to receive such redemption money, the amount
 5 paid for printer's fee for publishing such notice, for the use of the person com-
 6 pelled to publish such notice as aforesaid; the fee for such publication shall be
 7 the amount which the publisher is legally permitted to charge for such publica-
 8 tion.

Sec. 221. The deed so made by the county clerk under the official seal of
 2 his office shall be recorded in the same manner as other conveyances of real
 3 estate, and shall vest in the grantee, his heirs and assigns, the title of the prop-
 4 erty therein described without further acknowledgement or evidence of such
 5 conveyance, and said conveyance shall be substantially in the following form:
 6 STATE OF ILLINOIS, }
 7County. } ss.

8 Whereas, at a public sale of real estate for the non-payment of taxes, made
 9 in the county aforesaid, on the.....day of....., A. D.
 10 19..., the following described real estate was sold, to-wit (here place description
 11 of real estate conveyed); and whereas, the same not having been redeemed from

12 said sale, and it appearing that the holder of the certificate of purchase of said
 13 real estate has complied with the laws of the State of Illinois necessary to entitle
 14 (insert him, her or them) to a deed of said real estate: Now, therefore, know
 15 ye, that I,, County Clerk of said County of
 16, in consideration of the premises and by virtue of the
 17 statutes of the State of Illinois in such cases provided, do hereby grant and
 18 convey unto....., his heirs and assigns forever, the
 19 said real estate hereinbefore described, subject, however, to any redemption
 20 provided by law.

21 GIVEN under my hand and the seal of my office, this.....day of
 22, A. D. 19....

23County Clerk.

24 Any person holding any deed of real estate, executed by a county clerk,
 25 because of the non-payment of taxes, or any subsequent grantee, may commence
 26 an action in the Circuit Court of the county where such real estate lies, to quiet
 27 his title thereto, without taking possession of such lands, and all parties who
 28 appear of record in any one of the public offices of the county where such real
 29 estate is situated, to have any interest in, or lien upon such real estate, shall be
 30 made defendants in such suit, and no outstanding unrecorded mortgage, lien or
 31 claim, shall be of any effect as against the title or right of the complainant as
 32 fixed and declared by the decree made in such action. The court shall cause the
 33 facts to appear of record, and if, upon the hearing of such action, it shall appear
 34 that the complainant's title was, or is, invalid for any cause, such action shall
 35 not be dismissed by the court, but the court shall, excepting in cases where such
 36 land shall not have been liable to taxation, or, if liable, the taxes thereon shall
 37 have been paid before sale, ascertain the amount paid by the complainant for
 38 principal, including subsequent taxes or special assessments, together with any
 39 costs expended, and interest to be computed at twenty (20) per cent per annum
 40 from the date of such payment, and from whom due, and shall decree the pay-
 41 ment thereof within a reasonable time by the defendants who appear to have

42 an interest therein, and in default of such payment being made within the time
43 determined by the court, shall direct that such real estate shall be sold therefor
44 by the sheriff of such county, the time, place and manner of such sale shall be
45 set forth in said decree, and upon such sale the equity and right of redemption
46 of all defendants in such action, and all persons claiming under them shall be
47 forever foreclosed. In case of the sale of such land, the sheriff shall, upon re-
48 ceipt of the purchase money, execute to the purchaser a deed, in fee simple, and
49 there shall be no redemption from such sale, and the purchaser shall have the
50 right of immediate possession of such real estate. The amount received at such
51 sale by the sheriff shall be disbursed, first to pay the necessary expenses of
52 such sale, and, second, to pay the amount found to be due the complainant, and
53 if there shall be any surplus it shall be paid to the defendants as their interests
54 may appear, as determined by the court.

Sec. 225. Unless the holder of the certificate of sale for real estate pur-
2 chased at any tax sale under this Act takes out a deed, as entitled by law, and
3 files the same for record within one year from the first day of July next suc-
4 ceeding the completion of service under the provisions of Section 216, the said
5 certificate or deed, and the sale of the land on which it is based, shall, from and
6 after the expiration of such one year, be absolutely null. If the holder of such
7 certificate shall be prevented from obtaining such deed by injunction, or order
8 of any court, or by the refusal of the county clerk to execute the same, the time
9 he is so prevented shall be excluded from the computation.

Sec. 2. All Acts and parts of Acts in conflict with this Act are hereby
2 repealed.

Sec. 3. An emergency is hereby declared to exist, and this Act shall be
2 declared to be in full force and effect from and after its passage and approval.



- 1 Introduced by Mr. Searcy, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 396 and 399 of an Act entitled, "An Act in regard to tax title and providing for the re-conveyance of tax titles, and fixing a penalty for failure or refusal to re-convey," approved June 14, 1909, and in force July 1, 1909, and Acts amendatory and supplementary thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 396 and 399 of an Act
3 entitled, "An Act in regard to tax title and providing for the re-conveyance of
4 tax titles and fixing a penalty for failure or refusal to re-convey," approved
5 June 14, 1909, in force July 1, 1909, and Acts amendatory and supplementary
6 thereto, be, and the same are, hereby amended to read as follows:

Sec. 396. That, whenever the grantee of a tax deed to real estate, or any-
2 one claiming thereunder, shall not be in possession or occupation of said prem-
3 ises so claimed, and shall not take or institute proceedings in good faith to take
4 possession, or shall not have instituted an action to quiet title, within one year
5 after the date of the first tax deed under his tax title, then it shall be lawful

6 for the former owner of said real estate, or his agent, or attorney, to pay, or
 7 tender said tax title holder the amount of moneys required to redeem under
 8 Section 210, plus any costs actually paid to the county clerk at the time of the
 9 issuance of the tax deed, and the actual cost of recording said deed, in the same
 10 manner as if no deed had been issued, and that upon such payment or tender
 11 the said tax title holder shall re-convey the premises aforesaid to the owner
 12 thereof. The amount of such tender shall be based upon an estimate prepared
 13 by the county clerk and the county clerk shall be entitled to a fee of one (\$1.00)
 14 dollar for preparing the estimate herein provided, and such estimate of the
 15 county clerk shall be *prima facie* evidence in all courts of the amount due said
 16 tax title holder.

Sec. 399. All tax deeds shall contain the full name and true post office address
 2 dress of the grantee and shall not be of force or effect until the same has been
 3 filed for record in the office of the Recorder of Deeds.

Sec. 2. All Acts and parts of Acts in conflict with this Act are hereby
 2 repealed.

Sec. 3. An emergency is hereby declared to exist, and this Act shall be de
 2 clared to be in full force and effect from and after its passage and approval.



Introduced by Mr. Short, March 22, 1921.

Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend and revise Section twenty-three (23) of an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII," approved March 9, 1910, in force July 1, 1910.

CITIES AND VILLAGES.

COUNCIL, POWERS AND DUTIES—DEPARTMENT.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section twenty-three (23) of an Act entitled "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII," approved March 9, 1910, in force July 1, 1910, be amended and revised so that said section shall read as follows:

Sec. 23. COUNCIL—POWERS AND DUTIES—FIVE DEPARTMENTS.] The council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had, possessed and exercised by the

4 mayor, city council, president and board of trustees of villages, board of librarians,
 5 trustees, city clerk, city attorney, city engineer, city treasurer, city comptroller,
 6 and other executive, legislative and administrative officers, in cities or villages
 7 now or hereinafter organized and incorporated under the general incorporation
 8 law of the State of Illinois for the incorporation of cities and villages, and
 9 *except in cities having a population of more than sixty thousand (60,000) and
 10 less than one hundred thousand (100,000) by the last preceding census of the
 11 United States*, the council shall have and possess, and the council and its members
 12 shall exercise all executive and legislative powers and duties now had, possessed
 13 and exercised by the board of local improvements, provided for, in and
 14 by an Act entitled, "An Act concerning local improvements," approved June
 15 14, 1897, in force July 1, 1897, and all Acts amendatory thereto and in all such
 16 cities and villages that shall hereafter adopt this Act, or that shall have heretofore
 17 adopted this Act, in enforcing said Act, concerning local improvements
 18 herein set out, the person who spreads assessments shall be selected in each
 19 case by a majority vote of said council and its members, and all local improvements,
 20 contracts and bonds or warrants issued in pursuance thereof, or either
 21 of them, may and shall be signed by the mayor or by any three members of the
 22 council: *Provided, however*, that nothing contained in this Act shall in any way
 23 extend or pertain to or affect any public school law in operation in any municipality
 24 which may adopt this Act, anything in this present Act contained to the
 25 contrary notwithstanding.

26 The executive and administrative powers, authority and duties in such cities
 27 and villages shall be distributed into and among five departments, as follows:

- 28 1. Department of Public Affairs.
- 29 2. Department of Accounts and Finances.
- 30 3. Department of Public Health and Safety.
- 31 4. Department of Streets and Public Improvements.
- 32 5. Department of Public Property.

33 The council shall, by ordinance, determine the powers and duties of, and to
34 be performed by, each department and assign them to the appropriate depart-
35 ments; shall prescribe the powers and duties of officers and employees and may
36 assign to one or more of the departments; may require an officer or employee to
37 perform duties in two or more departments, and may make such other rules and
38 regulations as may be necessary or proper for the efficient and economical con-
39 duct of the business of the city or village. As amended by Act approved June
40 25, 1917, L. 1917, p. 284.

- 1 Introduced by Mr. Ben L. Smith, March 22, 1921.
2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Sections 1, 2, 3, 4 and 7 of "An Act in relation to the sale of farm seeds," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1, 2, 3, 4 and 7 of "An Act in
3 relation to the sale of farm seeds," approved June 28, 1919, in force July 1,
4 1919, are amended to read as follows:

Section 1. None of the following named farm seeds shall be sold or offered
2 for sale, within this State, for seeding purposes, except under the conditions
3 hereinafter provided: red clover, mammoth clover, white clover, alsike clover,
4 sweet clover, alfalfa, timothy, Kentucky blue grass, brome grass, orchard grass,
5 meadow fescue, oat grass, rye grass, vetch, rape, corn, millets, *soy beans* and *cow*
6 *peas*.

Sec. 2. The term "noxious weeds" as used in this Act, shall mean the fol-
2 lowing weeds: buckhorn (*Plantage Lanceolata*); field sorrel (*Rumex Aceto-*

3 sella); Canada thistle (*Oniscus Arvensis*); quack grass (*Agropyron repens*)
 4 curled dock (*Rumex Crispus*); ox-eye daisy (*Chrysanthemum leucanthemum*)
 5 clover and alfalfa dodder (*Cuscata Epithymum*); field dodder (*Cuscata arven-*
 6 *sis*); corn cockle (*Lychnis githago*); wild carrot (*Daucus carota*); *field bind*
 7 *weed (Convolvulus arvensis).*

Sec. 3. Seeds of any of the varieties named in Section 1 of this Act, except
 2 seed corn, sold or offered for sale in lots of packages, exceeding one pound in
 3 weight, for seeding purposes, within the State of Illinois, shall have attached
 4 thereto, a label or tag on which is plainly written or printed in the English lan-
 5 guage, the following:

6 (a) The commonly accepted name of the agricultural seed.

7 (b) The full name and address of the vendor so selling or offering same for
 8 sale.

9 (c) A statement plainly written or printed in English, giving the common
 10 names of the noxious weeds specified in Section 2 of this Act, which are present
 11 in greater numbers than 1 to 5,000 of the farm seeds sold or offered for sale; that
 12 such seed does not contain seeds of any one or more of the following noxious
 13 weeds in greater number in the aggregate than 1 to 1,000 of the seeds so sold or
 14 offered for sale: Canada thistle, quack grass, clover dodder, alfalfa dodder,
 15 field dodder, wild mustard, wild carrot or *field bind weed*; and that such seed
 16 does not contain seeds of one or more of the following noxious weeds in greater
 17 number in the aggregate than 1 to 500 of the seed so sold or offered for sale:
 18 Buckhorn, field sorrel, curled dock, ox-eye daisy or corn cockle.

19 (d) The percentage by weight of inert matter, also the percentage by weight
 20 weight of all weed seeds, other than those mentioned in Section 2.

21 (e) Where the seed offered for sale is a mixture of one or more varieties
 22 or kinds, that fact shall be so stated, together with the percentage by weight of
 23 each seed included in the mixture, where such seed constitutes more than five
 24 per cent by weight of the entire lot or package.

Sec. 4. No farm seeds shall be sold or offered for sale for seeding purposes, within the State of Illinois, which contain the seeds of one or more of the following noxious weeds in greater numbers in the aggregate than the proportion of 1 to 1,000: Canada thistle, quack grass, clover dodder, alfalfa dodder, field fodder, wild mustard, wild carrot or *field bind weed*.

No farm seeds shall be sold, or offered for sale for seeding purposes, within the State of Illinois, which contain the seeds of one or more of the following noxious weeds in greater number in the aggregate than the proportion of 1 to 500: Buckhorn, field sorrel, curled dock, ox-eye daisy or corn cockle.

Sec. 7. The Department of Agriculture shall test, without charge, samples of farm seeds which may be sent to it to be tested under the provisions of this Act: *Provided*, that when more than five samples are submitted for testing by any one individual, firm or corporation, within a year, a charge of fifty cents shall be made for each sample of the clover, alfalfa, timothy, vetch, rape, millets, soy beans and cow peas in excess of five; in the case of Kentucky blue grass, brome grass, orchard grass, meadow fescue, oat grass and rye grass, a charge of one dollar shall be made for testing each sample in excess of five. Samples of seed submitted to the Department of Agriculture for analysis or test, shall be accompanied by tags identifying the same.



- 1 Introduced by Mr. Thom, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the prevention of crime by the segregation of the mentally defective
with criminal propensities.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The term "Mental Defective," as used
3 this Act shall be construed to mean:
4 A person who has:
5 (a) a defect of intelligence; or
6 (b) a defect of affectivity or emotion; or
7 (c) a defect of will;
8 to such a degree that he has criminal propensities and while at large is a
9 menace to the life and property of others.

Sec. 2. Whenever any person shall plead guilty or be found guilty by the
2 verdict of a jury or by the finding of a Court, in any court of record of a
3 felony or misdemeanor (except murder and rape), and nothing remains to be
4 done by the Court except to pronounce sentence, it shall be the duty of the

5 State's Attorney to ascertain whether such person has been previously con
 6 victed of felony or misdemeanor in this State, or of felony in any other state
 7 If it shall appear to the Court that such person has previous thereto been
 8 convicted of felony or misdemeanor in this State, or of felony in any othe
 9 state, and the Court is of the opinion that the accused person is a mental de
 10 fective, it shall be the duty of the Court by order on the docket of the cour
 11 to cause an investigation to be made of such person and his personal history
 12 to ascertain whether there is probable cause for believing that he is a menta
 13 defective. If the Court does not cause such investigation to be made, it shal
 14 be the duty of the State's Attorney to conduct such an investigation in every
 15 case of a second conviction. If, as the result of any such investigation, the
 16 State's Attorney finds that there is probable cause for believing that the accused
 17 person is a mental defective, it shall be the duty of the State's Attorney to file
 18 a petition in said court signed by him stating such belief and the facts upon
 19 which it is based, together with the names and addresses of the witnesses by
 20 whom such facts are sought to be established.

Sec. 3. If the judge to whom such petition is made is convinced from the
 2 facts set up in said petition or from his own observation and knowledge tha
 3 the accused person might be a mental defective, and that the interests of the
 4 community and the welfare of such person demands that the fact as to whether
 5 or not such person is a mental defective should be ascertained, he shall order
 6 that such person be mentally examined by a competent psychopathologist or
 7 alienist, skilled in the diagnosing of mental disease and defectiveness, and of
 8 known integrity.

Sec. 4. Such examination shall be conducted privately. The psychopath
 2 ologist or alienist shall certify to the Court his findings in a signed report
 3 which shall be filed with the Clerk of the Court, and the Court may in addi
 4 tion hear testimony in open court.

5 If the Court finds from the report of the psychopathologist or alienist and
6 any other evidence that the accused person is of normal mentality the Court
7 shall impose sentence under the conviction according to law. There shall be no
8 second examination ordered unless within three years there is another conviction
9 of the same person.

Sec. 5. If the report is to the effect that the accused person is a mental
2 defective, and the Court from such report and the evidence heard is of the
3 opinion that there is ground for believing that he is a mental defective, then
4 the Court shall order that a copy of the report shall be given to the State's
5 Attorney. It shall be the duty of the State's Attorney upon receiving a copy
6 of the report to cause to be filed in the court a commitment petition as herein-
7 after provided.

Sec. 6. The term "commitment petition" shall be construed to mean a
2 petition seeking the commitment and segregation of a mental defective for the
3 purpose of preventing him from committing a criminal offense and with due
4 regard for his personal welfare. The petition shall be made in the name of
5 the People of the State of Illinois. The State's Attorney filing such petition
6 shall represent the People of the State and also the alleged mental defective,
7 if he be without counsel, and it shall be his duty to present to the Court all
8 facts bearing upon the case whether favorable or unfavorable to the allegations
9 of the petition.

Sec. 7. The petition shall state that the accused person is a mental defective
2 and shall recite the report of the psychopathologist or alienist and set up
3 facts tending to show that the accused person is by reason of his mental defect
4 a danger to the life, property or welfare of other persons while at large. There
5 shall be endorsed on the petition the names and addresses of all persons by
6 whom the allegations of the petition are expected to be proved.

Sec. 8. A copy of the petition shall be served upon the accused person,
 2 and upon his attorney if he is known to have one, and a copy shall be sent by
 3 registered special delivery mail to the last known address of his nearest living
 4 relative, if ascertainable and proof of such service shall forthwith be filed with
 5 the clerk of the court.

Sec. 9. Upon the filing of proof of service as above provided the Court
 2 shall appoint a day for a hearing in open court and shall direct the proper
 3 officer to present the accused person in court on that day. The Court shall
 4 procure the attendance in court on the day of hearing of two competent physi-
 5 cians, alienists or psychopathologists trained in abnormal psychology, of
 6 known integrity, who shall examine into the mental condition of the alleged
 7 defective and who shall file with the Court in writing their opinion whether
 8 the convicted person is a mental defective dangerous to the life or property of
 9 other persons while he is at large and such medical report as a whole shall be
 10 admissible in evidence and when admitted the Court shall call as a witness for
 11 the court, at least one of the physicians signing such report, to be thoroughly
 12 examined as if on cross examination by counsel of the accused, the Court or
 13 the State's Attorney and on request of the accused the other physician shall
 14 be called for examination. The inquiry shall be wide in scope and shall be per-
 15 mitted to extend to the heredity of the convicted person, his conduct and spe-
 16 cific acts and all other evidence as may, in the opinion of the judge, be neces-
 17 sary to determine fully the mental status of such person. The accused person
 18 shall be given full opportunity to present a defense unhampered by technical
 19 rules of evidence.

Sec. 10. Upon the conclusion of the hearing the Court shall make find-
 2 ings of fact in writing and file the same with the clerk of the court, which shall
 3 contain:

4 a. A statement as to whether the alleged defective is of normal mind.

5 b. If the alleged defective is found not to be of normal mind then a state-
6 ment as to the kind of mental disease or deficiency with which such person is
7 afflicted, if known, and

8 c. A statement whether or not such person is a mental defective within the
9 meaning of this Act, and

10 d. A recommendation as to the best way for caring for such person with
11 due regard to the life and property of others.

12 All the testimony on the hearing shall be taken in shorthand and tran-
13 scribed at the expense of the county. The transcript of the evidence shall be
14 signed by the reporter and verified by him under oath as a true and correct
15 report of the proceedings and shall be filed in the court as a permanent record
16 by the State's Attorney.

 Sec. 11. The psychopathologist or alienist shall also answer such interro-
2 gatories as may be contained in a form to be prescribed by the State Depart-
3 ment of Public Welfare and shall certify that the answers are correct to the best
4 of their knowledge and belief. The answers shall be considered by the Court in
5 arriving at its finding.

 Sec. 12. A copy of the report of the commission shall be served upon the
2 alleged defective, his attorney or nearest relative, and one day (or a longer
3 time in the discretion of the Court not exceeding five days) shall be allowed
4 for the making of oral or written exceptions to the report.

 Sec. 13. If the Court finds from the evidence and the findings of two
2 psychopathologists or alienists, that the accused person is a mental defective,
3 instead of pronouncing sentence, judgment shall be entered in accordance with
4 such finding, and an order made that the mental defective be forthwith com-
5 mitted to a State farm colony for the care and supervision of mental defec-
6 tives or such other institution as may be provided by law, there to remain until
7 he becomes sane and of normal mind and ceases to be of criminal propensity

8 and a danger to the life and property of others. The time during which any
9 such mental defective is confined under this Act shall not be included in com-
10 puting any limitation period within which such person must be prosecuted for
11 the commission of a criminal offense.

Sec. 14. If the judgment of the Court is that the convicted person is not a
2 mental defective sentence shall be imposed under the conviction the same as if
3 no examination had been made.

Sec. 15. Each court shall keep a separate docket of proceedings under this
2 Act, upon which shall be made such entries as will, together with the papers
3 filed, preserve a perfect record of each case. The original complaint, certifi-
4 cate or petition for examination, finding of the commission and finding of the
5 Court shall be part of the said files, and a copy of the finding whether the
6 person alleged to be mentally defective or not shall in each case be furnished
7 to the State Department of Public Welfare and to the State's Attorney of the
8 county wherein such hearing is held, but the preliminary examination by the
9 psychopathologist or alienist shall not be part of such files.

Sec. 16. All mental defectives admitted to any State institution under the
2 provisions of this Act shall be maintained and treated, while in the institution,
3 at the expense of the State, but the costs of clothing, transportation and other
4 incidental expenses not constituting any part of their maintenance or treatment
5 shall be defrayed at the expense of the county from which they were com-
6 mitted.

Sec. 17. Upon the entry of an order directing that a mental defective is
2 to be committed under this Act, the clerk of the court shall send a copy of such
3 order to the superintendent of the institution to which such mental defective is
4 ordered to be sent and such superintendent shall receive such mental defective
5 as a charge in such institution.

Sec. 18. The order of the Court shall provide that such person shall remain in such institution until such person becomes sane and of normal mind and ceases to be of criminal propensities and while at large to constitute a danger to the life, property and welfare of others.

Sec. 19. For the conveyance of any mental defective to a public institution, admission thereto having been ordered by the Court as provided herein, the clerk shall issue a warrant in duplicate directed to the sheriff of the county in which such hearing is had, commanding him to take such mental defective and deliver such person to the superintendent of such institution. Upon receiving such person the superintendent of the institution shall endorse upon the warrant his receipt, naming the person or persons from whom such mental defective is received, and one copy of the warrant so endorsed shall be returned to the clerk of the court to be filed with the other papers in the case and the other shall be left with the superintendent, and the person delivering the mental defective shall endorse thereon that he has delivered such person, and such duplicate warrant shall be *prima facie* evidence of the facts set forth thereon in said endorsement.

Sec. 20. Whenever, in the opinion of the superintendent of such institution or of a competent and qualified alienist, neurologist or psychiatrist attached to such institution, such person has become of normal mind and normal propensities and such person can be allowed his liberty without being dangerous to the life, property or welfare of others, it shall thereupon be the duty of the superintendent of such institution to certify such fact to the Department of Public Welfare and send a copy of such certificate to the State's attorney of the county in which such mental defective was committed, and also send a copy to the nearest living relative of such person if the address of the same can be ascertained upon reasonable diligence, and send a copy to the attorney who represented him, if any such there be, under the original proceeding, and give a copy to the mental defective himself. It shall also be the duty of such superintendent to forthwith

13 file a petition in the court from which such person was committed, setting up the
 14 name of such person, the date on which he was committed to the institution, a
 15 brief history of his conduct while in such institution, the name of the physician
 16 or psychiatrist that has examined him, his present diagnosis, and ask leave of the
 17 Court to enter an order for such person's discharge. Such petition shall be by
 18 the superintendent as the next friend of such mental defective and if not filed by
 19 him it may be filed on his behalf by any reputable citizen of the State, and in such
 20 petition the State's Attorney of the county from which such person was com-
 21 mitted shall be named as defendant and shall require him on behalf of the
 22 people to show cause why such defective should not be released. Summons shall
 23 be issued upon such petition, directed to the State's Attorney of the county from
 24 which such commitment was originally made and against the superintendent of
 25 the institution where such person is confined, and require such superintendent to
 26 produce the person in court on the date named, to be not less than ten days after
 27 the filing of such petition. If the petition is filed by such superintendent, he shall
 28 produce the person in court on the date set for hearing on the petition. The
 29 State's Attorney shall have the right to have such person examined by any quali-
 30 fied psychiatrist, neurologist or alienist at any time before the hearing.

Sec. 21. The Court shall have a commission of two qualified physicians to
 2 attend during the trial and may also cause such person to be mentally examined
 3 prior to the hearing.

Sec. 22. At the hearing there shall be adduced on behalf of the mental de-
 2 fective such evidence as the superintendent of the institution or any other person
 3 may desire to present and if any evidence favorable to him is in the possession of
 4 the State's Attorney it must be presented, and the State's Attorney shall have
 5 the right to appear and cross examine the witnesses and to offer evidence on
 6 behalf of the State, if he so desires.

Sec. 23. After the evidence is heard, the commission attending the court shall render a report to him stating whether the original finding made against such mental defective should be reversed or changed in any particular.

Sec. 24. If the Court believe from the evidence submitted before it, from the findings of the commission and a consideration of all the circumstances, that the mental defective is of normal mind and can be released without being a danger to the life, property and welfare of others, he shall forthwith vacate the order of commitment theretofore entered and release such defective from the institution to which he may have been committed and discharge him.

Sec. 25. Nothing contained in this Act shall in any way abridge the right of the writ of *habeas corpus* on behalf of such mental defective by himself or his nearest friend.

Sec. 26. Every person committed to any institution under this Act shall have every reasonable opportunity and facility for communication with his friends and family and be permitted to write and send letters, and letters written by any such person to any officer of the Department of Public Welfare of the State or to any member of the State Charities Commission or to any county or city official shall be forwarded unopened.

Sec. 27. In the event of the death of any person committed under this Act while in a public institution, a coroner's inquest shall be held as provided by law in other cases. Notice of the death of such person and the cause thereof shall in all cases be sent to the judge of the court who committed such person or his successor, giving the facts of the death with the time, place and alleged cause.

Sec. 28. Any person who shall knowingly contrive or who shall conspire to have any person unlawfully committed under this Act, or any person who shall violate any provision of this Act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not exceeding two thousand dollars

5 (\$2,000) or confined in prison not exceeding one year, or both, at the discretion
6 of the Court in which such conviction is had.

Sec. 29. The costs of proceedings against mental defectives under this Act
2 shall be defrayed from the county treasury of the county in which such proceed
3 ings are had. The fees paid for attendance of witnesses and execution of lega
4 process shall be the same as are allowed by law in similar cases. For the service
5 of a commissioner the sum of twenty dollars (\$20) per day and the actual and
6 necessary traveling expenses shall be allowed to each person so employed.

Sec. 30. Whenever a child is brought before a juvenile court as a delinquent
2 child only and it appears to the Court that such child is a mental defective as
3 defined in this Act, such Court shall have the power and it shall be its duty to
4 institute proceedings against such child in the same manner and to the same
5 extent as is provided for in other cases under this Act, and it shall be its duty in
6 proceedings so justify to commit such child to a farm colony or other suitable
7 institution as may be provided by law.

Sec. 31. Whenever it shall appear to the Superintendent of Pardons and
2 Paroles that any inmate of any penitentiary of this State or any person applying
3 for parole or any person released on parole is a mental defective within the mean
4 ing of this Act, it shall be his duty to file a petition in the court from which such
5 person was committed in the manner as is provided for by this Act in other cases
6 and ask for an examination and commitment of such person to an appropriate
7 institution. It shall be the duty of the Court in which such petition is filed to
8 issue a warrant addressed to the person in whose custody such person is or to the
9 sheriff of the county in which such person is found to bring such person before
10 the Court for examination, and when such person is brought before the Court to
11 proceed to inquire into the condition of such person's mind, as is provided for by
12 this Act in other cases. If the Court finds that such person is of normal mental
13 ity, the petition shall be dismissed and the person remanded to the Superin-

14 tendent of Pardons and Paroles to be dealt with as if such petition had never
15 been filed. If the Court finds that such person is a mental defective within the
16 meaning of this Act, it shall then be its duty and it shall have the power to make
17 such order as will be for the best interests of such defective and the community
18 as it has power to do in other cases under this Act.

Sec. 32. If the mental condition of a person committed under this Act
2 becomes such that such person could be better cared for in an institution for luna-
3 tics, the superintendent of the institution where such person is confined or the
4 Director of Public Welfare, as the case may be, may cause such steps to be taken
5 as may be necessary for his removal to an institution for lunatics under "An Act
6 to revise the law in relation to the commitment and detention of lunatics and to
7 provide for the appointment and commitment of conservators and to repeal
8 certain acts therein named," approved June 21, 1893, in force July 1, 1893.

Sec. 33. No person shall be discharged from an institution to which he has
2 been committed under this Act without suitable clothing and a sum of money not
3 exceeding fifty dollars (\$50) to defray his expenses home, which shall be charged
4 to the county from which such person was committed and collected with other
5 debts, but the Court ordering the discharge may dispense with this requirement
6 or modify it if in its discretion it appears to be fit and proper under the circum-
7 stances.

Sec. 34. If any person committed under this Act to an institution shall
2 escape, it shall be the duty of the superintendent of the institution and his assist-
3 ants and of any sheriff or constable or other officer of the peace in any county in
4 which he may be found, to take and detain him without a warrant and report the
5 same at once to the county judge of such county, who shall return him to the
6 institution from which he escaped.

Sec. 35. The Department of Public Welfare shall keep a record of all
2 persons committed under this Act and of the orders respecting them throughout

3 the State, copies of which orders shall be furnished by the clerk of the court
4 without the board's application or upon the board's application.

Sec. 36. The invalidity of any part of this Act shall not be construed to
2 affect the validity of any other part capable of having practical construction and
3 effect without the invalid part.

Sec. 37. The fact that a person is a mental defective within the meaning of
2 this Act shall not be a bar to a proceeding against him instituted under "An Act
3 to revise the law in relation to the commitment and detention of lunatics and pro-
4 vide for the appointment and removal of conservators and to repeal certain acts
5 therein named," approved June 21, 1893, in force July 1, 1893, nor proceedings
6 under "An Act to better provide for the care and detention of feeble-minded per-
7 sons," approved June 24, 1915, in force July 1, 1915, but such mental defective
8 when at large and not under arrest for any alleged criminal offense may be pro-
9 ceeded against under either of said Acts if such person comes within their scope,
10 but as to such mental defective after arrest and before discharge, the provisions
11 of this Act shall be exclusive.

Sec. 38. This law is not intended to repeal "An Act to better provide for
2 the care and detention of feeble-minded persons," approved June 24, 1915, in
3 force July 1, 1915, nor with "An Act to revise the law in relation to the commit-
4 ment and detention of lunatics and to provide for the appointment and removal of
5 conservators and to repeal certain Acts therein named," approved June 21,
6 1893, in force July 1, 1893, but the proceedings mentioned in this Act shall be in
7 addition to any proceedings which might be taken against such mental defective
8 under either of the foregoing Acts. But the commitment of a mental defective
9 thorough proceedings under this Act shall be a bar to any proceedings against such
10 person under either of said Acts during the period such person is committed,
11 except such proceedings for the appointment of a guardian or administrator as
12 may be necessary to preserve such person's estate.



- 1 Introduced by Mr. Thon, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an appropriation for the establishment of a farm colony for male mental defectives with criminal propensities.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$750,000 or as much thereof as shall be necessary be and hereby is appropriated to the Department of Public Works and Buildings for the purchase of a tract of land of not less than 1,000 acres and for the erection thereon of suitable buildings for the establishment and construction of an institution to which mental defectives with criminal propensities may be committed.

Sec. 2. The purchase of this land and the construction of the buildings shall be done by and under the direction of the Department of Public Works and Buildings.

Sec. 3. The appropriation herein made shall be subject to all of the provisions of "An Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 4. Said Department shall conduct hearings as speedily as may be for
2 the purpose of obtaining information as to the proper site on which such farm
3 colony shall be located and the character of the buildings and other appurtenan-
4 ces which are to be erected thereon, and may make rules governing the conduct
5 of such hearings. The Department shall also receive suggestions from persons
6 familiar with the operation of such institutions as to what is proper under the
7 circumstances.

Sec. 5. Such Department shall close its hearing within sixty days from the
2 time this Act goes into effect and shall as soon as may be thereafter proceed to
3 make its selection and purchase the property selected, and as speedily as may
4 be thereafter make its contracts for the erection of the buildings thereon and
5 improvements.



- 1 Introduced by Mr. Thon; March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to create a State farm to which can be committed mental defectives with criminal propensities.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an institution for the care and wel-
3 fare of male mental defectives with criminal propensities is hereby authorized
4 to be established at such place as shall be selected by the Department of Public
5 Works and Buildings.

Sec. 2. Such institution shall be what is known as a farm colony and shall
2 exist for the sole purpose of receiving for care and treatment such unfortunates
3 as may be committed thereto under "An Act providing for the segregation of
4 the mentally defective with criminal propensities," wherein such persons may
5 be kindly and properly treated and the State receive the full benefit of such
6 work as such persons can be capable of performing. No other person shall be
7 committed to such institution.

Sec. 3. The management and control of such institution shall be vested in
 2 a superintendent to be appointed by the Governor and such superintendent shall
 3 have the right to appoint his necessary assistants, except as herein provided.

Sec. 4. The superintendent of such institution shall be a physician who
 2 has been at least five years in general practice and who has in addition thereto
 3 spent at least five years in the special study of mental diseases and is an alien-
 4 ist, neurologist or psychiatrist of high standing and recognized integrity in his
 5 community.

Sec. 5. The superintendent shall receive a salary of fifteen thousand dol-
 2 lars (\$15,000) a year and shall have power to appoint an assistant who shall
 3 receive a salary of six thousand dollars (\$6,000) a year, such assistant to be a
 4 qualified physician.

Sec. 6. The superintendent shall have the power to employ the necessary
 2 help and labor for managing and maintaining such institution, but shall consult
 3 with the Director of Public Welfare as to the capability and competency of such
 4 persons so employed.

Sec. 7. The Director of Public Welfare, Assistant Director of Public We-
 2 fare and the criminologist shall constitute the board of inspectors of such in-
 3 stitution and there shall be rendered every three months to such board a full
 4 report by the superintendent of the management of such institution. It shall
 5 be the duty of the board to determine all complaints not within the power of the
 6 superintendent to determine, and to make such further regulations for the good
 7 government of such institution as it shall deem proper and necessary. A mem-
 8 ber of such board shall visit such institution once at least in each month. All
 9 rules and regulations or other orders of such institution or such board in rela-
 10 tion thereto shall be recorded in a book to be kept for that purpose, which shall
 11 be deemed a public record and with the other books and records of such institution
 12 shall be at all times subject to the examination of any member or committee

13 the legislative authorities, corporation counsel or treasurer of any city or State's
14 attorney.

Sec. 8. The books of such institution shall be so kept as to clearly exhibit
2 the mental and physical state of the persons committed thereto, the number re-
3 ceived and discharged, the number eemployed in service or in cultivating or
4 improving the premises, the number employed in each branch of industry carried
5 on, the receipts from and the expenses for and an account of each department
6 of business or for the improvement of the premises. A quarterly statement
7 shall be made out which shall specify all receipts and expenses and from whom
8 received and to whom paid and for what purposes, proper vouchers for each to
9 be audited and certified by the inspectors and submitted to the chairman of the
10 Department of Finance and by him to the comptroller thereof for examination
11 and approval. The accounts of such institution shall be annually closed and
12 balanced on the first day of January of each year and a full report of the opera-
13 tions of the preceding year shall be made out and submitted to the Governor of
14 the State to be by him transmitted to the General Assembly.

Sec. 9. The Department of Finance of the State may require such further
2 reports and exhibits of the condition and management of such institution as it
3 shall deem necessary and proper.

Sec. 10. The superintendent of such institution shall have the entire con-
2 trol and management of such institution, subject to the restrictions imposed by
3 law and the rules and regulations adopted by the General Assembly for its
4 government. He also shall have the power to use the inmates in such tasks about
5 the institution as will be for such inmates' best welfare, or assign such inmates
6 to work on road building or other public improvements of the State as in his
7 judgment is advisable considering the best welfare of such inmates. He shall
8 hold office for four years and until his successor shall have been duly appointed
9 and qualified, but he may be removed by the Governor at any time when in his

10 judgment it shall be advisable. He shall be responsible for the manner in which
 11 such institution is managed and conducted. He shall reside at such institution
 12 devote all his time and attention to it and daily visit and examine into the con-
 13 dition and management of every department and of each person therein confined

Sec. 11. The deputy superintendent shall have and exercise the powers of
 2 the superintendent in his absence so far as may be necessary to the safekeeping
 3 of the inmates.

Sec. 12. The State's attorney of the county from which any person is com-
 2 mitted shall prepare and file proper petitions for the release of inmates com-
 3 mitted from his county, as provided in this Act and perform such other
 4 legal work as may be necessary.

Sec. 13. The superintendent or deputy superintendent of any such institu-
 2 tion shall before they enter upon the duties of their respective offices, take the
 3 usual oath of office. Such superintendent and deputy superintendent shall give
 4 bond to the State of Illinois with sureties in such penal sum as may be required
 5 by the Governor for the faithful performance of their duties.

Sec. 14. It shall be the duty of the superintendent of such institution to
 2 only employ in and about such institution such persons as are of a kindly dis-
 3 position and who are skilled or capable of becoming skilled in the proper care
 4 of mental defectives.

Sec. 15. It shall be the duty of the superintendent of such institution to
 2 either make himself or cause to be made an examination into the mental status
 3 of every person confined in such institution as appears to him to have become
 4 of normal mentality or who can be released without danger to the life, property
 5 or welfare of others. If the superintendent believes or be informed through the
 6 examination of a competent alienist, neurologist or psychiatrist that any in-
 7 mate is of normal mentality, he shall forthwith take proceedings to have such

8 person's mentality determined as provided for in "An Act providing for the
9 segregation of the mentally defective with criminal propensities," and take
10 such steps for the release of such person as may be found of normal mentality
11 as is provided for in said Act.

Sec. 16. The superintendent or person in charge of such institution shall
2 quickly obey any writ of habeas corpus that may be issued for the production
3 of any inmate.

17. The superintendent or person in charge of such institution at any time
2 shall allow, upon request, the relatives, attorney or any friend of any inmate to
3 have a mental examination made of such inmate, provided such examination is
4 made in the institution in which such inmate is confined and such examination
5 is made by an alienist, neurologist or psychiatrist of proper qualifications and
6 is made at the sole expense of the person asking for it, but such examination can
7 not be required as a matter of right oftener than once in six months.

Sec. 18. When for some reason it is advisable that a guardian or adminis-
2 trator be appointed for such person, then such guardian or administrator shall
3 be appointed by a court having jurisdiction thereof in the same manner as is
4 provided by law in the case of lunatics or feeble-minded persons.

Sec. 19. No person of normal mentality shall ever be placed in such institu-
2 tion nor permitted to remain there.

Sec. 20. Appropriations for the maintenance of said farm colony shall be
2 made by the General Assembly from time to time in the same manner as it appro-
3 priates for the State University.

Sec. 21. That "An Act to create a State farm," approved June 14, 1917,
2 in force July 1, 1917, be, and the same is hereby repealed.



- 1 Introduced by Mr. Tice, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to provide for the construction and maintenance of bridges across any stream between this and any adjoining state, or upon any road which lies upon or which crosses the boundary line between this and any adjoining state.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Bridges across streams forming the boun-
3 dary line between this and any adjoining state, or bridges upon any road which
4 lies upon the boundary line between this and any adjoining state, may be con-
5 structed or repaired by any county or counties of this State contiguous to the
6 proposed construction or repair, acting in conjunction with any county munici-
7 pality or subordinate division of the adjoining State, as provided in this Act. A
8 bridge may likewise be constructed at the point of intersection of any highway
9 with the boundary line between this and any adjoining state, or a bridge already
10 constructed at such point may likewise be repaired, as provided herein. A
11 county shall be deemed contiguous to such construction or repair if any part of
12 such county lies within eighty rods thereof. The total of the cost to be borne by

13 any county (or counties) of this State shall not exceed one-half of the total cost
14 of such construction or repair.

Sec. 2. The county board of any such county is empowered to appropriate
2 moneys for the purpose of assisting in the construction or repair of any such
3 bridge or bridges, or bonds of such county may be issued for that purpose as
4 follows: Upon the filing with the county clerk of a petition signed by one hun-
5 dred electors of such county who are owners of land therein, requesting that the
6 proposition of issuing bonds of that county for said purpose be submitted to the
7 electors of said county for their approval or rejection, the said clerk shall, when
8 giving notice of the next regular election for county officers held at least thirty
9 days subsequent to the filing of said petition, also give notice that at said election
10 a vote will be taken upon the proposition to issue bonds for the purpose of as-
11 sisting in the construction or repair of such bridge or bridges, as stated in said
12 petition.

13 If it is desired that the proposition be submitted at a special election, the
14 petition shall so state, and the county clerk shall order such election by posting
15 notices thereof in the manner provided by law for posting notices of regular
16 elections in such county. Such special election shall be held at least thirty days
17 subsequent to the filing of said petition.

Sec. 3. Such proposition shall be submitted upon separate ballots, which
2 ballots shall be in substantially the following form:

Shall county bonds for the purpose of.....be	Yes	
issued to the amount of.....?	No	

Sec. 4. If it shall appear that a majority of the legal voters, voting at said
2 election, on said question, voted in favor of said proposition, the county clerk
3 shall issue (from time to time as the work progresses) a sufficient amount, i

4 the aggregate, of the bonds of said county for the purpose of assisting in the
5 construction or repair of any such bridge or bridges, as set forth in this Act, and
6 in accordance with the prayer of the petition. Said bonds shall be of such de-
7 nominations, upon such time, bear such rate of interest (not exceeding six per
8 cent), and be disposed of, as the necessities and convenience of said county may
9 require. However, said bonds shall not be sold nor disposed of, either by sale or
10 by payment to contractors for labor or materials, for less than their par value.
11 Such bonds shall be issued in not less than five nor more than twenty annual
12 series, the first series of which shall mature not more than five years from the
13 date of issue, and each succeeding series in succeeding years thereafter. A reg-
14 ister of all issues of said bonds shall be kept in the office of the county clerk of
15 said county, showing the date, amount, rate of interest, maturity, and the pur-
16 pose for which said bonds were issued, and it shall be the duty of such county
17 clerk, to extend annually against all the property in said county, a tax sufficient
18 to pay the interest of said bonds in each year prior to the maturity of such first
19 series, and thereafter he shall extend a tax in each year sufficient to pay each
20 series as it matures, together with interest thereon and with the interest upon
21 the unmatured bonds outstanding. Such bonds may be lithographed and the
22 interest for each year evidenced by interest coupons thereto attached, which cou-
23 pons shall be signed with the original or fac-simile signatures by the same offi-
24 cers who executed the bonds.

Sec. 5. The plans and specifications for the construction or repair of any such
2 bridge or bridges shall be approved by the county superintendent of highways
3 (or county superintendents of highways, in case two counties of this State are
4 assisting in such construction or repair), and by the Department of Public
5 works and Buildings. The contract for any such work shall be let by the county
6 board (or county boards, in case two counties of this State are assisting in such
7 construction or repair), acting jointly with the corporate authorities of the
8 county, municipality, or other subordinate division of the adjoining State. How-

9 ever, no contract shall be considered as let unless the contractor shall within
10 fifteen days after the final award of same, file with the county clerk of said
11 county (or of each said county) a bond, with good and sufficient sureties, in a
12 sum equal to the part of the total cost which that county is to bear, conditioned
13 upon the faithful performance of such contract.

Sec. 6. If the cost of such construction or repair is \$1,000 or less, such
2 county (or counties) shall not be liable for any part of such expense until all the
3 work has been accepted by the county superintendent of highways (or by each
4 county superintendent of highways). Such official (or officials) shall certify
5 such acceptance to his county board (or to their respective county boards), and
6 shall accompany such certificate with an itemized statement of all expenditures
7 in such construction or repair.

8 If the total cost of the construction or repair exceeds \$1,000, partial pay-
9 ments not oftener than once a month, and not to exceed ninety per cent of the
10 work actually completed, may be paid the contractor by the county (or coun-
11 ties). No such partial payments shall be made unless approved by the county
12 superintendent of highways (or by each county superintendent of highways),
13 and no partial payments shall in any way be deemed an acceptance of the work
14 until said work has been fully completed and accepted by the county superin-
15 tendent (or by each county superintendent of highways) and such acceptance
16 certified as provided above.



- 1 Introduced by Mr. S. B. Turner, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 1791½ to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 1791½ is added to Division I of "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, to read as follows:*

Sec. 1791½. *Whoever prints, publishes, writes or says a statement attacking the ability or record or public or private acts or fitness for any public or private office of any other person must at the same time give the facts upon which his accusation or statement is based.*

The violation of this provision is a misdemeanor punishable by a fine of not less than one thousand (\$1,000) dollars nor more than five thousand (\$5,000) dollars.



- 1 Introduced by Mr. Vice, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 8 of the "Workman's Compensation Act," approved June 28, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 8 of the "Workmen's Compensation Act," approved June 28, 1913, in force July 1, 1913, as amended, is amended to read as follows:

Sec. 8. The amount of compensation which shall be paid to the employee for an injury not resulting in death shall be:

(a) The employer shall provide the necessary first aid medical and surgical services; all necessary hospital services during the period for which compensation may be payable; also all necessary medical and surgical services for a period not longer than eight weeks, not to exceed, however, an amount of two hundred dollars, and in addition such medical or surgical services in excess of such limits as may be necessary during the time such hospital services are furnished. All of the foregoing services shall be limited to those which are reason-

ably required to cure and relieve from the effects of the injury. The employee may elect to secure his own physician, surgeon or hospital services at his own expense.

(b) For temporary total incapacity for work, compensation equal to fifty per centum of the earnings, but not less than seven dollars (\$7.00) nor more than twelve dollars (\$12.00) per week, beginning on the *first* day of such temporary total incapacity, and continuing as long as the temporary total incapacity lasts, but not after the amount of compensation paid equals the amount which would have been payable as a death benefit under paragraph (a), Section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving as provided in said paragraph (a), Section 7.

(c) For any serious and permanent disfigurement to the hand, head or face, the employee shall be entitled to compensation for such disfigurement, the amount fixed by agreement or by arbitration, in accordance with the provisions of this Act, which amount shall not exceed one-quarter of the amount of the compensation which would have been payable as a death benefit under paragraph (a), Section 7, if the employee had died as a result of the injury at the time thereof, leaving heirs surviving, as provided in said paragraph (a), Section 7: *Provided*, that no compensation shall be payable under this paragraph where compensation is payable under paragraph (d), (e) or (f) of this section: *And, provided*, further, that when the disfigurement is to the hand, head or face, as a result of any injury, for which injury compensation is not payable under paragraphs (d), (e) or (f) of this section, compensation for such disfigurement may be had under this paragraph.

(d) If, after the injury has been sustained, the employee as a result thereof becomes partially incapacitated from pursuing his usual and customary line of employment, he shall, except in the cases covered by the specific schedule set forth in paragraph (e) of this section, receive compensation, subject to the limitations as to time and maximum amounts fixed in paragraphs (b) and (h) of this section, equal to fifty per centum of the difference between the average

40 amount which he earned before the accident, and the average amount which he is
41 earning or is able to earn in some suitable employment or business after the
42 accident.

43 (c) For injuries in the following schedule, the employees shall receive in
44 addition to compensation during the period of temporary total incapacity for
45 work resulting from such injury, in accordance with the provisions of para-
46 graphs (a) and (b) of this section, compensation for a further period, subject
47 to the limitations as to time and amounts fixed in paragraphs (b) and (h) of this
48 section, for the specific loss herein mentioned, as follows, but shall not receive any
49 compensation for such injuries under any other provision of this Act.

50 1. For the loss of a thumb, or the permanent and complete loss of its use,
51 fifty per centum of the average weekly wage during sixty weeks;

52 2. For the loss of a first finger, commonly called the index finger, or the
53 permanent and complete loss of its use, fifty per centum of the average weekly
54 wage during thirty-five weeks;

55 3. For the loss of a second finger, or the permanent and complete loss of
56 its use, fifty per centum of the average weekly wage during thirty weeks;

57 4. For the loss of a third finger, or the permanent and complete loss of its
58 use, fifty per centum of the average weekly wage during twenty weeks:

59 5. For the loss of a fourth finger, commonly called the little finger, or the
60 permanent and complete loss of its use, fifty per centum of the average weekly
61 wage during fifteen weeks;

62 6. The loss of the first phalange of the thumb, or of any finger shall be
63 considered to be equal to the loss of one-half of such thumb or finger and com-
64 pensation shall be one-half of the amounts above specified;

65 7. The loss of more than one phalange shall be considered as the loss of the
66 entire finger or thumb; *Provided, however,* that in no case shall the amount
67 received for more than one finger exceed the amount provided in this schedule
67½ for the loss of a hand;

68 8. For the loss of a great toe, fifty percentum of the average weekly wage
69 during thirty weeks;

70 9. For the loss of one toe other than the great toe, fifty percentum of the
 71 average weekly wage during ten weeks, and for the additional loss of one or
 72 more toes other than the great toe, fifty percentum of the average weekly wage
 73 during an additional ten weeks;

74 10. The loss of the first phalange of any toe shall be considered to be the
 75 equal to the loss of one-half of such toe, and compensation shall be one-half of
 76 the amount above specified;

77 11. The loss of more than one phalange shall be considered as the loss of
 78 the entire toe;

79 12. For the loss of a hand, or the permanent and complete loss of its use,
 80 fifty percentum of the average weekly wage during one hundred and fifty
 81 weeks;

82 13. For the loss of an arm or the permanent and complete loss of its use,
 83 fifty percentum of the average weekly wage during two hundred weeks;

84 14. For the loss of a foot, or the permanent and complete loss of its use,
 85 fifty percentum of the average weekly wage during one hundred and twenty-
 86 five weeks;

87 15. For the loss of a leg, or the permanent and complete loss of its use, fifty
 88 percentum of the average weekly wage during one hundred and seventy-five
 89 weeks;

90 16. For the loss of the sight of an eye or for the permanent and complete
 91 loss of its use, fifty percentum of the average weekly wage during one hundred
 92 weeks;

93 17. For the permanent partial loss of use of a member or sight of an eye,
 94 fifty percentum of the average weekly wage during that portion of the number
 95 of weeks in the foregoing schedule provided for the loss of such member or
 96 sight of an eye which the partial loss of use thereof bears to the total loss of use
 97 of such member or sight of eye.

98 18. The loss of both hands, or both arms, or both feet, or both legs, or both
 99 eyes, or of any two thereof, or the permanent and complete loss of use thereof,

100 shall constitute total and permanent disability, to be compensated according to
101 the compensation fixed by paragraph(f) of this section: *Provided*, that these
102 specific cases of total and permanent disability shall not be construed as ex-
103 cluding other cases.

104 (f) In case of complete disability, which renders the employee wholly and
105 permanently incapable of work, compensation equal to fifty percentum of his
106 earnings, but not less than seven dollars (\$7.00) nor more than twelve dollars
107 (\$12.00) per week, commencing on the day after the injury, and continuing
108 until the amount paid equals the amount which would have been payable as a
109 death benefit under paragraph (a), Section 7, if the employee had died as a re-
110 sult of the injury at the time thereof, leaving heirs surviving as provided in
111 said paragraph (a), Section 7, and thereafter a pension during life annually
112 equal to eight (8) per cent of the amount which would have been payable as a
113 death benefit under paragraph (a), Section 7, if the employee had died as a
114 result of the injury at the time thereof, leaving heirs surviving as provided in
115 said paragraph (a), Section 7. Such pension shall not be less than ten dollars
116 (\$10.00) per month and shall be payable monthly.

117 (g) In case death occurs as a result of the injury before the total of the
118 payments made equals the amount payable as a death benefit, then in case the
119 employee leaves any widow, child, or children, parents, grandparents or other
120 lineal heirs, entitled to compensation under Section 7, the difference between the
121 compensation for death and the sum of the payments made to the employee shall
122 be paid, at the option of the employer, either to the personal representative or to
123 the beneficiaries of the deceased employee, and distributed, as provided in par-
124 agraph (f) of Section 7, but in no case shall the amount payable under this par-
125 agraph be less than five hundred dollars (\$500.00).

126 (h) In no event shall the compensation to be paid exceed fifty percentum
127 of the average weekly wage or exceed twelve dollars (\$12.00) per week in
128 amount; nor, except in case of complete disability, as defined above, shall any
129 payments extend over a period of more than eight years from the date of the

130 accident. In case an injured employee shall be incompetent at the time when any
 131 right or privilege accrues to him under the provisions of this Act, a conservator
 132 or guardian may be appointed, pursuant to law, and may, on behalf of such
 133 incompetent, claim and exercise any such right or privilege with the same force
 134 and effect as if the employee himself had been competent and had claimed or
 135 exercised said right or privilege; and no limitations of time by this Act pro-
 136 vided shall run so long as said incompetent employee is without a conservator
 137 or guardian.

138 (i) All compensation provided for in paragraphs (b), (c), (d), (e) and (f)
 139 of this section, other than cases of pension for life, shall be paid in installments
 140 at the same intervals at which the wages or earnings of the employee were paid
 141 at the time of the injury, or if this shall not be feasible, then the installments
 142 shall be paid weekly.

143 (j) 1. Wherever in this section there is a provision for fifty percentum,
 144 such percentum shall be increased five percentum for each child of the employee
 145 under 16 years of age at the time of the injury to the employee until such per-
 146 centum shall reach a maximum of sixty-five percentum.

147 2. Wherever in this section a weekly minimum of seven dollars (\$7.00) is
 148 provided, such minimum shall be increased in the following cases to the follow-
 149 ing amounts:

150 \$8.00 in case of any employee having one child under the age of 16 years at
 151 the time of the injury to the employee;

152 \$9.00 in a case of an employee having two children under the age of 16 years
 153 at the time of the injury to the employee;

154 \$10.00 in a case of an employee having three or more children under the age
 155 of 16 years at the time of the injury to the employee.

156 3. Wherever in this section a weekly maximum of twelve dollars (\$12.00)
 157 is provided, such maximum shall be increased in the following cases to the fol-
 158 lowing amounts:

159 \$13.00 in case of an employee with one child under the age of 16 years at
160 the time of the injury to the employee;

161 \$14.00 in case of an employee with two children under the age of 16 years at
162 the time of injury to the employee;

163 \$15.00 in case of an employee with three or more children under the age of
164 16 years at the time of injury to the employee.

165 4. The increases in the above percentum and the minimum and maximum
166 amounts shall be paid only so long as the child upon which the increase is based
167 remains under the age of 16 years.



- 1 Introduced by Mr. Vice, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Sections 1 and 7 of "An Act in relation to the sale of farm seeds," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 1 and 7 of "An Act in relation to the sale of farm goods," approved June 28, 1919, in force July 1, 1919, are amended to read as follows:*

Sec. 1. None of the following named farm seeds shall be sold or offered for sale within this State for seeding purposes, except under the conditions hereinafter provided: red clover, mammoth clover, white clover, alsike clover, sweet clover, timothy, Kentucky blue grass, alfalfa, brome grass, orchard grass, meadow fescue, oat grass, rye grass, vetch, rape, *oats*, corn and millets.

Sec. 7. The Department of Agriculture shall test, without charge, samples of farm seeds which may be sent to it to be tested under the provisions of this Act. However, when more than five samples are submitted for testing by

4 one individual, firm or corporation within a year, a charge of fifty cents (.50)
5 shall be made for each sample of the clover, alfalfa, timothy, vetch, rape, *oats*,
6 and millets in excess of five; in the case of Kentucky blue grass, brome grass,
7 orchard grass, meadow fescue, oat grass, and rye grass, a charge of one dollar
8 (\$1.00) shall be made for testing each sample in excess of five. Samples of
9 seed submitted to the Department of Agriculture for analysis or test shall be
10 accompanied by tags identifying the same.



1 Introduced by Mr. Volz, March 22, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to add Section 145 $\frac{1}{2}$ to "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 145 $\frac{1}{2}$ is added to "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, said section to read as follows:*

Sec. 145 $\frac{1}{2}$. *It shall be unlawful for any person, firm or corporation to erect or maintain a structure of any kind for advertising purposes upon, along or adjacent to any public highway outside the corporate limits of any city, town or village, which structure restricts the clear view along such highway to a distance of less than five hundred feet measured between any two points on such highway; and, furthermore, it shall be unlawful to erect or maintain for advertising purposes any such structure at or near the intersection of two or more public highways in such manner as to obstruct the clear view between*

9 any point located on any one of the intersecting roads and any point on any
 10 other of the intersecting roads when said points are within five hundred feet
 11 of said intersection. It shall be the duty of the Department of Public Works
 12 and Buildings where any such highway or either of such intersecting public
 13 highways is maintained in whole or in part by the State, and of the county
 14 superintendent of highways of the county in which such structure is located, in
 15 other cases, to order the removal of any such structure which unreasonably
 16 restricts the view of any public highway, or to order a modification to be made
 17 in the size, height or location of any such structure so that the same will not
 18 unreasonably restrict such view. Any order of the Department, or of any such
 19 officer, for the removal of any such structure, or for a modification of its size,
 20 height or location, shall be subject to review by the circuit court of the county
 21 in which such structure is located, as follows:

22 The person maintaining such structure may, within thirty days after such
 23 order was entered, file with such circuit court a petition against the Depart-
 24 ment of Public Works and Buildings or against such county superintendent of
 25 highways, as the case may be, officially as defendant, alleging therein under
 26 oath and in brief detail, the plaintiff's right to maintain such structures, and
 27 praying that such order shall be set aside. The court may make such orders
 28 and decrees as the equities and exigencies of the case may require.

29 Any person maintaining any such structure, who, upon being ordered by
 30 the Department of Public Works and Buildings or by a county superintendent
 31 of highways, as the case may be, to remove such structure, or to modify its
 32 size, height or location, fails to comply therewith within thirty days after the
 33 date of such order, or who, in case a review of such order is petitioned for, fails
 34 to comply with such order as affirmed or modified by the court within thirty
 35 days after the entry of the order or decree of the court, shall be fined not
 36 less than ten dollars (\$10) nor more than five hundred dollars (\$500), or im-
 37 prisoned in the county jail not exceeding six months, or both; and each day
 38 such failure continues constitutes a separate offense.

39 *The term "highway intersection" as used in this section means the inter-*
40 *section or meeting point of the center lines of any two or more public*
41 *highways.*



01 Introduced by Mr. Walters, March 22, 1921.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Section 115 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 115 of "An Act to establish and
3 maintain a system of free schools," approved and in force June 12, 1909, as
4 amended, is amended to read as follows:

Sec. 115. The board of school directors shall be clothed with the following
2 powers:

3 First—To purchase a suitable book for their records.

4 Second—To allow the clerk a reasonable compensation for his services,
5 payable out of the money not otherwise appropriated.

6 Third—To dismiss a teacher for incompetency, cruelty, negligence, immor-
7 ality or other sufficient cause.

8 Fourth—To assign pupils to the several schools in the district; to admit
9 non-resident pupils when it can be done without prejudice to the rights of resi-

10 dent pupils; to fix the rates of tuition, and to collect and pay the same to the
11 township treasurer for the use of the district.

12 Fifth—To suspend or expel pupils guilty of gross disobedience or miscon-
13 duct, and no action shall lie against them for such expulsion or suspension.

14 Sixth—To provide that children under twelve years of age shall not be
15 kept in school more than four hours daily.

16 Seventh—To appropriate school funds for the purchase of libraries and
17 apparatus, after the provision has been made for the payment of all necessary
18 school expenses.

19 Eighth—To sell at public or private sale any personal property belonging
20 to the school district, and not needed for school purposes.

21 Ninth—To grant special holidays whenever in their judgment such action
22 is advisable, but no deduction shall be made from the time or compensation of
23 a teacher on account of such days.

24 Tenth—To have the control and supervision of all public school houses in
25 their district, and to grant the temporary use of them, when not occupied by
26 schools, for religious meetings and Sunday schools, for evening schools and
27 literary societies, and for such other meetings as the directors may deem
28 proper. To grant the use of assembly halls and class rooms when not other-
29 wise needed, including light, heat and attendants, for public lectures, concerts,
30 and other educational and social interests but under such provisions and con-
31 trol as they may see fit to impose, and to conduct or provide for the conducting
32 of recreational, social and civic activities in the school buildings under their
33 control.

34 Eleventh—To decide when a site or building has become unnecessary,
35 unsuitable or inconvenient for a school.

36 Twelfth—To borrow money, and issue bonds for the purpose and in the
37 manner provided by this Act.

38 Thirteenth—To furnish each school with a flag and a staff, as provided
39 by law.

40 Fourteenth—To establish classes having an average attendance of not
41 fewer than fifteen pupils for the instruction of crippled children over the age
42 of six and under twenty-one years.

43 Fifteenth—To establish classes for the instruction of deaf children over the
44 age of three and under twenty-one years: *Provided, however,* that no person
45 shall be employed to teach the deaf who shall not have received instruction in
46 the methods of teaching the deaf for a term of not less than one year.

47 Sixteenth—To establish kindergartens for the instruction of children be-
48 tween the ages of four and six years if in their judgment the public interest re-
49 quires it, and to pay the necessary expenses of the same out of the school funds
50 of the district: *Provided,* that no one shall be employed to teach in a kinder-
51 garten who does not hold a kindergarten certificate as provided by law.

52 Seventeenth—*To acquire by purchase or lease a suitable residence, or to*
53 *acquire by purchase or lease a lot or lots and erect thereon a suitable residence,*
54 *for use by the person in charge of the public schools of the district, when no suit-*
55 *able residence is available and in the idscretion of the board of directors such*
46 *action is necessary. The board of directors shall not, however, expend or con-*
57 *tract to expend for this purpose more than one-half of one per cent of the as-*
58 *sessed valuation of the property in the particular district.*

59 *If at any time property so acquired is not needed as a residence by the per-*
60 *son in charge of the schools of the district, it may be leased or rented by the board*
61 *of directors or may be disposed of by the district in the manner provided by*
62 *law for the sale of other real property by school districts. The board of direct-*
63 *ors may contract for the purchase of such lot or lots or residence by equal an-*
64 *nual payments extending over a period of ten years or less, deferred payments to*
65 *bear interest not exceeding six per cent per annum.*

AMENDMENTS TO.

52d G. A.

HOUSE BILL NO. 476

1921



1 Adopted April 6, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 476 by inserting a new paragraph following line 65

2 on page 3, of the bill, to read as follows:

3 The conveyance of all such real estate when purchased shall be to the Trus-
4 tees of the Schools in their corporate name and to their successors in office.



- 1 Introduced by Mr. Walz, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act in relation to the collection, use and preservation of data, information and records concerning crimes and criminals and complaints relating to crimes, and providing penalties for misconduct in relation thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The Department of Public Welfare shall:

3 1. Collect information, reports and data of and concerning complaints of
4 felonies committed, or suspected to have been committed in this State, and all
5 legal steps taken in connection therewith and all proceedings ancillary thereto
6 from the inception of the complaint to the final disposition of the case, includ-
7 ing all data relating to the discharge of the defendant either upon hearing or
8 upon expiration of term of sentence.

9 2. To keep and preserve in permanent books and records the data and
10 information so collected and received.

Sec. 2. All clerks of courts, sheriffs, coroners, justices of the peace, police
2 magistrates, police officers and constables, shall furnish, upon the demand of
3 the Department of Public Welfare, the information required by Section 1 of this
4 Act, upon forms to be prepared and furnished by the Department of Public
5 Welfare.

Sec. 3. The Department of Public Welfare shall furnish, upon the request
2 of any public officer having to do with the enforcement or administration of
3 the criminal laws of the State, a transcript of the records of the Department of
4 Public Welfare pertaining to any individual, and such transcript, regularly cer-
5 tified over the signature of the Director of the Department of Public Welfare,
6 with the seal of the Department attached, shall be admissible upon any trial as
7 evidence of the facts recited therein, if otherwise competent. Where authenti-
8 cated transcripts of such records are furnished to other than public officers, the
9 same shall be charged for on the same basis as charges are made by clerks
10 of courts of record in this State for certified copies of papers and pleadings.

Sec. 4. In case of willful failure or refusal to furnish the information, or
2 any part thereof, herein required to be reported to the Department of Public
3 Welfare, a writ of mandamus may be awarded, directed to any officer required
4 by this Act to furnish such information, which writ of mandamus may be applied
5 for in any court of competent jurisdiction of the county where said officer re-
6 sides or has his office, by the Director of Public Welfare or his agent, and such
7 writ shall direct such officer forthwith to report said information to the Depart-
8 ment of Public Welfare.

Sec. 5. Any person charged with the performance of any duty hereunder
2 who shall knowingly and willfully fail or neglect to perform such duty, and any
3 person who shall knowingly and willfully refuse or fail to make the reports
4 herein required to be made by him, or shall knowingly and willfully report false
5 information to the Department of Public Welfare, or shall knowingly and will-

6 fully alter or falsify any of the records of said Department of Public Welfare
7 in any material respect, or shall knowingly and willfully prevent or obstruct, or
8 attempt to prevent or obstruct, the Department of Public Welfare, or the
9 Director thereof, to secure or gather any of the information hereby required
10 to be furnished, shall be guilty of a misdemeanor, and shall, upon conviction
11 thereof, be punished by a fine not exceeding one thousand dollars, or by confine-
12 ment in the county jail not exceeding one year, or by both such fine and
13 imprisonment.



- 1 Introduced by Mr. Seanlan, March 22, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Sections 9 and 12 of “An Act to provide for the organization and management of mutual insurance corporations, others than life; and repealing certain Acts and parts of Acts therein referred to,” approved June 29, 1915, in force July 1, 1915, and to add Sections 25 and 26 thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 9 and 12 of “An Act to provide for the organization and management of Mutual insurance corporations other than life; and repealing certain Acts and parts of Acts therein referred to,” approved June 29, 1915, in force July 1, 1915, be amended, and Sections 25 and 26 be added thereto, the amended and added sections to read, as follows:

Sec. 9. No such corporation shall issue policies or transact any business of insurance unless it shall comply with the conditions following, nor until the Director of Trade and Commerce has by formal license authorized it to do so, which license shall not issue until the corporation has complied with the following conditions:

6 If organized to transact the kind of insurance described in sub-section 1, of
7 Section 7:

8 1. Applications for at least two hundred (200) risks, for at least twenty
9 (20) members, shall be subscribed, aggregating not less than five hundred thou-
10 sand dollars (\$500,000.00) insurance.

11 2. The maximum amount of any single risk, less reinsurance, shall not ex-
12 ceed three times the average risk or one per cent of the insurance applied for,
13 whichever is the greater.

14 3. A premium upon each application shall be collected in cash and the cor-
15 poration shall hold total cash assets of not less than twice the maximum single
16 risk assumed subject to one fire, nor less than ten thousand dollars (\$10,000.00).

17 4. It shall hold admitted assets equal to at least two times the maximum
18 risk assumed.

19 If organized to transact the kind of insurance described under sub-Sec-
20 tion 2 of Section 7:

21 5. *It shall be required to have assets of not less than twenty-five thousand*
22 *(\$25,000.00) dollars and bona fide applications from not less than twenty (20)*
23 *members covering at least one thousand five hundred (1,500) employees.*

24 *If organized to do the kind of insurance described under sub-Section 3 of*
25 *Section 7:*

26 6. *It shall hold bona fide applications for insurance from at least five hun-*
27 *dred (500) members and have assets of at least five (5) times the maximum single*
28 *risk to be assumed, any reinsurance taking effect at the time of the issuance of*
29 *the policy being deducted in determining the maximum single risk, but in no*
30 *event to be less than five thousand (\$5,000.00) dollars, which amount shall at all*
31 *times be maintained over and above all liabilities. Corporations heretofore*
32 *licensed shall be required to comply with these provisions by December 31, 1921.*

33 If organized to transact the kind of insurance described under sub-Sections
34 4, 5, 6 and 7 of Section 7:

35 7. It shall hold bona fide applications for insurance upon which it shall
36 issue simultaneously at least twenty (20) policies to at least twenty members of
37 the same kind of insurance upon not less than 200 separate risks, each within
38 the maximum single risk prescribed herein.

39 8. The maximum single risk shall not exceed twenty per cent of its admit-
40 ted assets or three times the average policy, or one per cent of the insurance in
41 force, whichever is the greater, any reinsurance taking effect simultaneously with
42 the policy being deducted in determining such maximum single risk.

43 9. It shall hold admitted assets for each kind of insurance to be issued equal
44 to at least five times the maximum single risk assumed.

45 10. *Provided, that nothing contained herein shall prevent corporations or-*
46 *ganized or doing business under the provisions of this Act from combining such*
47 *kinds of insurance as are permitted to stock companies.*

Sec. 12. Every corporation organized under the provisions of this Act,
2 may, in its corporate name sue and be sued; and shall have power, *through its*
3 *board of directors*, to make contracts of insurance or indemnity with any person,
4 firm, public or private corporation, board, association or estate or any trustee
5 or legal representative of same, in this State or elsewhere; prescribe the quali-
6 fications and the manner and form of the admission of members; to have and to
7 use a common seal which may be changed or altered at pleasure; to be capable
8 in its corporate name or in the name of a trustee chosen by the board of direct-
9 ors, to take, purchase, lease, hold and dispose of real or personal property for
10 carrying into effect the purpose of the corporation; to make all necessary rules
11 and regulations concerning the hazards incurred, the premium rates to be used
12 and adjustment and payment of losses; to fix the compensation of its directors
13 and officers and require bond for the faithful performance of their duties; to ex-
14 ercise all such other powers as may be necessary to effect the object of such cor-
15 poration, subject to the restrictions herein provided; to make or amend by-laws
16 not inconsistent with law or the provisions of the articles of association, which
17 by-laws shall fix the date and place of the annual meeting of members, shall

18 designate the number of directors, which shall not be less than five, define the
19 duties of the officers and fix the term of office of the directors and officers of such
20 company, and make all further necessary provisions concerning the conduct of
21 its business or affairs.

Sec. 25. *Any company incorporated under the provisions of this Act and*
2 *authorized to do business may amend its Articles of Association by filing with*
3 *the Director of Trade and Commerce a declaration of their desire so to do, set-*
4 *ting forth the proposed change or amendment which shall be consistent with the*
5 *provisions of this Act, signed and duly acknowledged by a majority of its Board*
6 *of Directors, whereupon the Director of Trade and Commerce shall approve the*
7 *same and furnish the company with a certified copy of such certificate of ap-*
8 *proval and such amendment which shall make such amendment effective.*

Sec. 26. *Whenever the existing or future laws of any other state of the Uni-*
2 *ted States shall require of companies transacting the business named in this*
3 *Act, incorporated by or organized under the laws of this State, and having agen-*
4 *cies in such other state, or of the agents thereof, any deposit of securities in*
5 *such state for the protection of policy holders or otherwise, or any payment of*
6 *taxes, fines, penalties, certificates of authority, license fee or otherwise, greater*
7 *than the amount required for such purposes from similar companies of other*
8 *states, by the then existing laws of this State, then, and in every such case, all*
9 *companies of such State doing such business as is named herein, establishing or*
10 *having heretofore established an agency or agencies in this State, shall be, and*
11 *are hereby required to make the same deposit for a like purpose with the Director*
12 *of Trade and Commerce of this State, and to pay to the Director of Trade and*
13 *Commerce fines, penalties, certificates of authority, license fees or any other*
14 *obligation, an amount equal to the amount of such charges and payments im-*
15 *posed by the laws of such other states upon the companies of this State and the*
16 *agent thereof.*



- 1 Introduced by Mr. Charles Curren, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to add Section 4 to "An Act to provide for and fix the compensation of the members of the General Assembly of the State of Illinois," approved December 6, 1907, in force July 1, 1908, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 4 is added to "An Act to provide for and fix the compensation of the members of the General Assembly of the State of Illinois," approved December 6, 1907, in force July 1, 1908, as amended, to read as follows:*

Sec. 4. *In addition to the amount provided as compensation and for expenses by the provisions of Section 1 of this Act, each member of the Fifty-second General Assembly shall receive for the period for which members of the House of Representatives of the Fifty-second General Assembly were elected, the sum of fifteen hundred (\$1500.00) dollars for the services of a secretary during the regular session and any special sessions of the Fifty-second General Assembly.*



- 1 Introduced by Mr. Paul (By request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Division I of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence." Approved March 27, 1874, in force July 1, 1874, by adding thereto an additional section to be known as Section 25½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Division I of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, is named by the addition thereto of a section to be known as Section 25½, to read as follows:*

Sec. 25½. *Whoever makes use of any motor vehicle for the purpose of making or attempting to make an escape for himself or another from arrest, or for the purpose of making or attempting to make an escape for himself or another from the place where a crime has been committed with intent to avoid detection and arrest shall be deemed guilty of a felony and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one year nor more than five (5) years.*



- 1 Introduced by Mr. Flagg, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 6 and 9 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 6 and 9 of "An Act to provide
3 for the holding of primary elections by political parties," approved March 9,
4 1910, in force July 1, 1910, as amended, are amended to read as follows:

Sec. 6. A primary shall be held on the second Tuesday in April in every
2 year in which a President of the United States is to be elected, for the pur-
3 pose of electing delegates and alternate delegates to national nominating con-
4 ventions, and for the purpose of securing an expression of the sentiment and
5 will of the party voters with respect to candidates for nomination for the office
6 of President of the United States. A primary shall be held on the *second*
7 *Tuesday in April* in every year in which officers are to be voted for on the
8 first Tuesday after the first Monday in November of such year, for the nom-

9 ination of candidates for such offices as are to be voted for at such November
10 election.

11 A primary shall be held on the last Tuesday in February in each year, for
12 the nomination of such officers as are to be voted for on the first Tuesday in
13 April of such year.

14 A primary shall be held on the second Tuesday in March in each year, for
15 the nomination of such officers as are to be voted for on the third Tuesday in
16 April of such year.

17 A primary for the nomination for all other officers, nominations for which
18 are required to be made under the provisions of this Act, shall be held three
19 weeks preceding the date of the general election for such offices, respectively

20 The polls shall be open from 6:00 o'clock A. M. to 5:00 o'clock P. M.

Sec. 9. (1) The State central committee shall be composed of one mem-
2 ber from each congressional district in the State, and shall be elected as
3 follows:

4 At the *April* primary held in the year A. D. 1922, and at the April pri-
5 mary held every *four* years thereafter, each primary elector may vote for one
6 candidate of his party for member of the State central committee for the con-
7 gressional district in which he resides. The State central committee of each
8 political party shall be composed of members elected from the several con-
9 gressional districts of the State, as herein provided, and of no other person or
10 persons whomsoever. The members of the State central committee shall, within
11 thirty days after their election, meet in the city of Springfield and organize
12 by electing from among their own number, a chairman, and may, at such time,
13 elect such officers from among their own number or otherwise, as they may
14 deem necessary or expedient. The outgoing chairman of the State central com-
15 mittee of the party shall, ten days before the meeting, notify each member of
16 the State central committee elected at the primary, of the time and place of
17 such meeting.

18 (2) At the April primary held *in April, 1922, and* every four years there-
19 after, each primary elector may write or attach in the space left on the pri-
20 mary ballot for that purpose, the name of one qualified elector of his party
21 in the precinct for member of his political party precinct committee. The one
22 having the highest number of votes shall be such committeeman of such party
23 for such precinct. In case of a tie, the primary judges shall cast lots. The
24 official returns of the primary judges shall show the name and address of the
25 committeemen of each political party in the county: *Provided, however,* the
26 provisions of this sub-section two (2) of section nine (9) shall not apply to
27 precincts within the territorial limits of an incorporated city or village having
28 a population of two hundred thousand or over.

29 (3) The county central committee of each political party shall consist of
30 the members of various precinct committees and ward committees, if any, of
31 such party in the county. In the organization and proceedings of the county
32 central committee, each precinct committeeman shall have one vote, and one
33 additional vote for each fifty votes or major fraction thereof of his party, cast
34 in his precinct for Governor, at the last general election; and each ward com-
35 mitteeman shall have one vote for each precinct in his ward, and one additional
36 vote for each fifty votes or major fraction thereof of his party, cast in each
37 precinct of his ward for Governor, at the last general election.

38 (4) The congressional committee of each party shall be composed of the
39 chairman of the county central committees of the counties composing the con-
40 gressional districts, excepting that in congressional districts wholly within the
41 territorial limits of one county, or wholly within the territorial limits of one
42 county and partly within the territorial limits of another county, then the mem-
43 bers of the precinct committees of the party residing within the limits of the
44 congressional district, shall compose the congressional committee: *Provided,*
45 *however,* that in congressional districts wholly within the territorial limits of
46 an incorporated city or village having a population of two hundred thousand
47 or over, or partly within the limits of such city or village and partly without

the limits of such city or village, then the members of the precinct and ward committees of the party of the precincts and wards within the limits of the congressional district, shall compose the congressional committee.

In the organization and proceedings of congressional committees, composed in whole or in part of precinct committeemen, each precinct committeeman shall have one vote, and one additional vote for each fifty votes or major fraction thereof of his party, cast in his precinct for Governor, at the last general election, and in the organization and proceedings of congressional committees, composed in whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward, and one additional vote for each fifty votes or major fraction thereof of his party, as cast in each precinct of his ward located in such congressional district for Governor, at the last general election.

(5) The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the city central committee shall be composed of the ward committeemen residing within the territorial limits of such city or village, which said ward committeemen shall be elected at large in their respective wards *at the April primary election, held in April, 1922, and every four years thereafter.*

The word "ward" in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

(6) Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership, proper and necessary subcommittees, and particularly defining, by resolution, the duties of such subcommittee.

78 (7) The various political party committees now in existence, are hereby
79 recognized and shall exercise the powers and perform the duties herein pre-
80 scribed, until committeemen are chosen, in accordance with the provisions of
81 this Act.



1. Introduced by Mr. Flagg, March 23, 1921.
2. Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 4 and 5 of "An Act to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of Senatorial committeemen," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 4 and 5 of "An Act to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly and the election of Senatorial committeemen," approved March 9, 1910, in force July 1, 1910, as amended, is amended to read as follows:

Sec. 4. A primary shall be held on the *second Tuesday in April*, in the year A. D. 1922 and every two years thereafter for the nomination of candidates for senatorial offices and for the election of senatorial committeemen.

Sec. 5. There shall be constituted a Senatorial committee for each Senatorial district: *Provided, however*, that nothing herein contained shall prevent

3 a political party from electing or appointing in accordance with its practice
4 any other committees.

5 The Senatorial committee of each political party shall be elected as follows:

6 (a) In Senatorial districts comprised of three or more counties, the Sena-
7 torial Committee shall be composed of one member elected from each county of
8 such Senatorial district.

9 At the *April* primary held in the year A. D. 1922, and at the April pri-
10 mary held every two years thereafter, each primary elector may vote for one
11 candidate of his party residing in his county for member of the Senatorial
12 Committee of his party.

13 (b) In Senatorial districts comprised of two counties, the Senatorial Com-
14 mittee shall be composed of three members, two of whom shall be elected from
15 the county in which such political party at the general election for State and
16 county officers then next preceding a primary polled the larger number of votes
17 in such Senatorial district, and one of whom shall be elected from the other
18 county of such Senatorial district.

19 At the *April* primary held in the year A. D. 1922, and at the April primary
20 held every two years thereafter, each primary elector, residing in a county in
21 which such political party at the general election for State and county officers
22 then next preceding a primary polled the larger number of votes in such Sena-
23 torial district, may vote for two candidates of his party, residing in his county,
24 for members of the Senatorial Committee of his party (and at such primary
25 in the other county of such Senatorial district, each primary elector may vote
26 for one candidate of his party) residing in his county for member of the Sena-
27 torial Committee of his party.

28 (c) In Senatorial districts composed of one county, and in Senatorial dis-
29 tricts wholly within the territorial limits of one county, or partly within the
30 territorial limits of one county and partly within the territorial limits of an
31 other county, the Senatorial Committee shall be composed of three member
32 elected from such Senatorial district.

33 At the *April* primary held in the year A. D. 1922, and at the April primary
34 held every two years thereafter, each primary elector may vote for three can-
35 didates of his party, residing in such Senatorial district, for members of the
36 Senatorial Committee of his party.

37 Within thirty days after its election, the Senatorial Committee shall meet
38 and proceed to organize by electing from among its own number a chairman,
39 and either from its own number or otherwise, such other officers as said com-
40 mittee may deem necessary or expedient. The outgoing chairman of the Sena-
41 torial Committee of the party shall notify the members elected of the time and
42 place (which shall be in the limits of such Senatorial district) of such meeting.



1 Adopted May 11, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 482 after the figure "5" in line one of the printed
2 title, insert the word and figure "and 7."

AMENDMENT NO. 2.

Amend House Bill No. 482 after the figure "5" in line 2 of Section 1, page 1,
2 insert the word and figure "and 7."

AMENDMENT NO. 3.

Amend printed House Bill No. 482, by adding after line 42, page 3, the
2 following:

3 "Sec. 7. All petitions for nominations shall be filed as follows:

4 (1) Where the nomination is made for a senatorial office such petition for
5 nomination shall be filed in the office of the Secretary of State, not more than
6 *fifty (50)* and not less than forty (40) days prior to the date of the primary.

7 (2) The petitions of candidates for senatorial committeemen shall be filed
8 in the office of the county clerk not more than *fifty (50)* and not less than forty
9 (40) days prior to the date of the primary.

10 (3) The Secretary of State and the various clerks with whom such peti-
11 tions for nomination are filed shall endorse thereon the day and hour on which
12 each petition was filed.

13 (4) Any person for whom a petition for nomination or for senatorial com-
14 mitteeman has been filed may cause his name to be withdrawn in writing, signed
15 by him, duly acknowledged before an officer qualified to take acknowledgments
16 of deeds and filed in the office of the Secretary of State, not less than thirty-five
17 (35), or with the proper clerk not less than thirty-five (35) days prior to the day
18 of the primary and no names so withdrawn shall be certified by the Secretary
19 of State to the county clerk or printed on the primary ballot. (As amended by
20 Act approved June 27, 1913. In force July 1, 1913. L. 1913, p. 331.)”



- 1 Introduced by Mr. Castle, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to make the teaching of Representative Government in the public schools and other educational institutions in the State of Illinois compulsory.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That American patriotism and the principles of representative government, as enunciated in the American Declaration of Independence, the Constitution of the United States of America and the Constitution of the State of Illinois, shall, from and after the taking effect of this Act, be taught in all public schools of this State, and in all other educational institutions in this State supported or maintained, in whole or in part by public funds.

Sec. 2. That not less than two hours of each school week shall be devoted to the study of the said subjects mentioned in the first section of this Act in the seventh and eighth grammar grades or their equivalent in the said public schools and other educational institutions, and that not less than two hours of each school week shall be devoted to the advanced study of the subject in all high

6 school grades in the said public schools and other institutions mentioned in the
7 first section of this Act. *Provided*, that nothing herein contained shall be con-
8 strued to prevent the study of the said subjects in any of the lower grades in the
9 said schools or other educational institutions aforesaid.

Sec. 3. It is hereby made the duty of the State Superintendent of Public
2 Instruction to put into effect the provisions of this Act.

AMENDMENTS TO
52d G. A. HOUSE BILL NO. 483 1921



1. Adopted April 20, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 483 by striking out in line 1, Section 2, after
2 the word "than" the words "two hours" and inserting in lieu thereof the
3 words "one hour."

AMENDMENT NO. 2.

Amend House Bill No. 483 by striking out in line 4, Section 2, the words
2 "two hours" and inserting in lieu thereof the words "one hour."



- 1 Introduced by Mr. Castle, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to add Sections 118a and 118b to "An Act in regard to elections, and to provide for filling vacancies in elective offices", approved April 3, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 118a and 118b are added to "An Act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, such additional sections to read as follows:

Sec. 118a. In the case of all questions submitted to the voters of any city, village or incorporated town under the terms of "An Act requiring cities, villages, and incorporated towns to submit certain ordinances authorizing the issue of bonds, except to refund any existing bonded indebtedness, to the voters of any such city, village or incorporated town", approved June 4, 1909, in force July 1, 1909 as amended, and in the case of all bond issues or other propositions submitted to the voters of any city, village, incorporated town, sanitary district,

8 or any other municipal corporation, any five electors of the city, village, incor-
9 porated town, sanitary district or other municipal corporation, may contest the
10 results of any such election by filing a written statement in the manner provided
11 by Section 117 of this Act as to any subject which may by law be submitted to a
12 vote of the people of the county. Such city, village, incorporated town, sanitary
13 district or other municipal corporation shall be made defendant, and services
14 of process and proceedings shall be the same as are provided by this Act with
15 respect to the contest of an election upon any subject which may by law be sub-
16 mitted to a vote of the people of the county.

Sec. 118b. In case the city, village or incorporated town, sanitary district
2 or other municipal corporation shall fail or refuse properly to defend such con-
3 test, the court shall allow any one or more electors of such city, village, incorpo-
4 rated town, sanitary district or other municipal corporation to appear and de-
5 fend, in which case the electors so defending shall be liable for the costs in case
6 the judgment of the court shall be in favor of the contestant.



- 1 Introduced by Mr. Tice, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to restrict the manufacture, transportation, possession and use of intoxicating liquor, aiding thereby in establishing uniformity in State and Federal laws in regard thereto.

Section 1. This Act shall be known and cited as the "Illinois Prohibition Act."

Sec. 2. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* When used in this Act, the word "liquor" or the phrase "intoxicating liquor" shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter, and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of one per centum or more of alcohol by volume which are fit for use for beverage purposes: *Provided*, that the foregoing definition shall not extend to dealcoholized wine nor to any beverage or liquid produced by the process by

10 which beer, ale, porter or wine is produced, if it contains less than one-half of
11 one per centum of alcohol by volume, and is made as prescribed in Section 46
12 of this Act, and is otherwise denominated than as beer, ale, or porter, and is
13 contained and sold in, or from such sealed and labeled bottles, casks, or contain-
14 ers as the Attorney General may by regulation prescribe.

15 (2) The word "person" shall mean and include natural persons, associa-
16 tions, copartnerships and corporations.

17 (3) The term "application" shall mean a formal written request sup-
18 ported by a verified statement of facts showing that the Attorney General may
19 grant the request.

20 (4) The term "permit" shall mean a formal written authorization by the
21 Attorney General setting forth specifically therein the things that are authorized.

22 (5) The term "bond" shall mean an obligation authorized or required by
23 or under this Act or any regulation, executed in such form and for such a
24 penal sum as may be required by a court, the Attorney General, or prescribed
25 by regulation.

26 (6) The term "still" wherever used in this Act shall be construed to in-
27 clude any mechanism, apparatus or device kept or maintained for the purpose
28 of distilling, making or manufacturing intoxicating liquors, or which by any
29 process of evaporation, separates alcoholic liquor from grain, molasses, fruit or
30 any other fermented substance, or that is capable of any such use.

31 (7) The phrase "industrial alcohol" shall be construed to mean that sub-
32 stance known as ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from
33 whatever source or whatever processes produced.

Sec. 3. No person shall on or after the date when this Act goes into effect,
2 manufacture, sell, barter, transport, import, export, deliver, furnish or possess
3 any intoxicating liquor except as authorized in this Act, and all the provisions
4 of this Act shall be liberally construed to the end that the use of intoxicating
5 liquor as a beverage may be prevented.

6 Liquor for nonbeverage purposes and wine for sacramental purposes may
7 be manufactured, purchased, sold, bartered, transported, imported, exported, de-
8 livered, furnished and possessed, but only as herein provided, and the Attorney
9 General may, upon application, issue permits therefor: *Provided*, that nothing
10 in this Act shall prohibit the purchase and sale of warehouse receipts covering
11 distilled spirits on deposit in Government bonded warehouses.

Sec. 4. The articles enumerated in this section shall not, after having
2 been manufactured and prepared for the market, be subject to the provisions
3 of this Act if they correspond with the following descriptions and limitations,
4 namely:

5 (a) Denatured alcohol or denatured rum produced and used as provided
6 by laws and regulations now or hereafter in force.

7 (b) Medicinal preparations manufactured in accordance with formulas
8 prescribed by the United States Pharmacopoeia, National Formulary or the
9 American Institute of Homeopathy that are unfit for use for beverage purposes.

10 (c) Patented, patent, and proprietary medicines that are unfit for use for
11 beverage purposes.

12 (d) Toilet, medicinal and antiseptic preparations and solutions that are
13 unfit for beverage purposes.

14 (e) Flavoring extracts and sirups that are unfit for use as a beverage, or
15 for intoxicating beverage purposes.

16 (f) Vinegar and preserved sweet cider.

17 A person who manufactures any of the articles mentioned in this section
18 may purchase and possess alcohol for that purpose, but he shall secure permits
19 to manufacture such articles and to purchase such alcohol, give the bonds, keep
20 the records, and make the reports specified in this Act. No such manufacturer
21 shall sell, use, or dispose of any alcohol otherwise than as an ingredient of the
22 articles authorized to be manufactured therefrom. No more alcohol shall be
23 used in the manufacture of any extract, sirup, or the articles named in para-

24 graphs b, c, and d of this section which may be used for beverage purposes
 25 than the quantity necessary for extraction or solution of the elements contained
 26 therein and for the preservation of the article.

27 Any person who shall knowingly sell any of the articles mentioned in par-
 28 agraphs a, b, c, and d of this section for beverage purposes, or any extract or
 29 sirup for intoxicating beverage purposes, or who shall sell any of the same
 30 under circumstances from which the seller might reasonably deduce the inten-
 31 tion of the purchaser to use them for such purposes, or shall sell any beverage
 32 containing one-half of one per centum or more of alcohol by volume in which
 33 any extract, sirup, or other article is used as an ingredient, shall be subject to
 34 the penalties provided in Section 33 of this Act. If the Attorney General shall
 35 find, after notice and hearing as provided for in Section 6 of this Act, that any
 36 person has sold flavoring extract, sirup, or beverage in violation of this para-
 37 graph, he shall notify such person, and any known principal for whom the sale
 38 was made, to desist from selling such article; and it shall thereupon be unlaw-
 39 ful for a period of one year thereafter for any person so notified to sell any
 40 such extract, sirup, or beverage without making an application for, giving a bond,
 41 and obtaining a permit so to do, which permit may be issued upon such condi-
 42 tions as the Attorney General may deem necessary to prevent such illegal sales,
 43 and in addition the Attorney General shall require a record and report of sales.

Sec. 5. No person shall sell any patented, patent, or proprietary medicine
 2 or any medicinal preparation whatsoever whether unfit for beverage use or not,
 3 which contains one-half of one per centum or more of alcohol by volume, unless
 4 he shall first obtain a permit so to do from the Attorney General, and no
 5 permit shall be issued to any owner or proprietor of any restaurant, pool-room,
 6 bowling alley, nor to the proprietor of any confectionery, ice-cream parlor or
 7 soft drink establishment or public place where liquid refreshments of any kind
 8 are served, unless such confectionery, ice-cream parlor or soft drink establish-
 9 ment or public place where liquid refreshments are served is directly and
 10 openly connected with and a part of a drug store whose proprietor is a reg-

11 istered pharmacist, local registered pharmacist, or registered assistant
12 pharmacist.

Sec. 6. Whenever the Attorney General has reason to believe that any
2 article mentioned in Section 4 does not correspond with the descriptions and
3 limitations therein provided, he shall cause an analysis of said article to be
4 made, and if, upon such analysis, the Attorney General shall find that said
5 article does not so correspond he shall give not less than fifteen days' notice in
6 writing to the person who is the manufacturer thereof to show cause why said
7 article should not be dealt with as an intoxicating liquor, such notice to be
8 served personally or by registered mail, as the Attorney General may deter-
9 mine, and shall specify the time when, the place where, and the name of the agent
10 or official before whom such person is required to appear.

11 If the manufacturer of said article fails to show to the satisfaction of the
12 Attorney General that the article corresponds to the descriptions and limita-
13 tions provided in Section 4 of this Act, his permit to manufacture and sell such
14 article shall be revoked. The manufacturer may by appropriate proceeding in
15 a court of equity have the action of the Attorney General reviewed, and the
16 court may affirm, modify, or reverse the finding of the Attorney General as the
17 facts and law of the case may warrant, and during the pendency of such pro-
18 ceedings may restrain the manufacture, sale, or other disposition of such article.

Sec. 7. No one shall manufacture, sell, purchase, transport, or prescribe
2 any liquor without first obtaining a permit from the Attorney General so to do,
3 except that a person may, without a permit, purchase and use whiskey, brandy,
4 or alcohol for medicinal purposes when prescribed by a physician as herein
5 provided, and except that any person who in the opinion of the Attorney Gen-
6 eral is conducting a bona fide hospital or sanatorium engaged in the treatment
7 of persons suffering from alcoholism, may, under such rules, regulations, and
8 conditions as the Attorney General shall prescribe, purchase and use in accord-
9 ance with the methods in use in such institution, liquor, to be administered to

10 the patients of such institution under the direction of a duly qualified physician
11 employed by such institution.

12 All permits to manufacture, prescribe, sell, or transport liquor, may be
13 issued for one year, and shall expire on the 31st day of December next succeed-
14 ing the issuance thereof: *Provided*, that the Attorney General may without
15 formal application or new bond extend any permit granted under this Act or
16 laws now in force after August 31st in any year to December 31st of the suc-
17 ceeding year: *Provided, further*, that permits to purchase liquor for the pur-
18 pose of manufacturing or selling as provided in this Act shall not be in force
19 to exceed ninety days from the day of issuance. A permit to purchase liquor
20 for any other purpose shall not be in force to exceed thirty days. Permits to
21 purchase liquor shall specify the quantity and kind to be purchased and the
22 purpose for which it is to be used. No permit shall be issued to any person who
23 within one year prior to the application therefor or issuance thereof shall have
24 violated the terms of any permit issued under this Act or any law of the
25 United States regulating traffic in liquor. No permit shall be issued to anyone
26 to sell liquor at retail, unless the sale is to be made through a registered phar-
27 macist, local registered pharmacist, or registered assistant pharmacist desig-
28 nated in the permit and duly licensed under the laws of this State to compound
29 and dispense medicine prescribed by a duly licensed physician. No one shall
30 be given a permit to prescribe liquor unless he is a physician duly licensed to
31 practice medicine in this State and is actively engaged in the practice of such
32 profession in this State. Every permit shall be in writing, dated when issued
33 and signed by the Attorney General or his authorized agent. It shall give the
34 name and address of the person to whom it is issued and shall designate and
35 limit the acts that are permitted and the time when and place where such acts
36 may be performed. No permit shall be issued until a verified, written applica-
37 tion shall have been made therefor, setting forth the qualification of the appli-
38 cant and the purpose for which the liquor is to be used.

39 The Attorney General may prescribe the form of all permits and applica-
40 tions and the facts to be set forth therein. Before any permit is granted the
41 Attorney General may require a bond in such form and amount as he may pre-
42 scribe to insure compliance with the terms of the permit and the provisions of
43 this Act. In the event of the refusal by the Attorney General of any applica-
44 tion for a permit, the applicant may have a review of his decision before a
45 court of equity in the manner provided in Section 6 hereof.

46 All blanks and forms for applications, returns, permits, prescriptions, etc.,
47 which may be required under the provisions of this Act shall, whenever feasible,
48 be similar to the blanks and forms for applications, returns, permits, prescrip-
49 tions, etc., required by the laws of the United States.

50 Nothing in this Act shall be held to apply to the manufacture, sale, trans-
51 portation, importation, possession, or distribution of wine for sacramental pur-
52 poses, or like religious rites, except Section 7 (save as the same requires a
53 permit to purchase) and Section 10 hereof, and the provisions of this Act
54 prescribing penalties for the violation of either of said sections. No person to
55 whom a permit may be issued to manufacture, transport, import, or sell wines
56 for sacramental purposes or like religious rites shall sell, barter, exchange, or
57 furnish any such to any person not a rabbi, minister of the gospel, priest, or
58 an officer duly authorized for the purpose by any church or congregation, nor
59 to any such except upon an application duly subscribed by him, which applica-
60 tion, authenticated as regulations may prescribe, shall be filed and preserved by
61 the seller. The head of any conference or diocese or other ecclesiastical juris-
62 diction may designate any rabbi, minister, or priest to supervise the manufac-
63 ture of wine to be used for the purposes and rites in this section mentioned, and
64 the person so designated may, in the discretion of the Attorney General, be
65 granted a permit to supervise such manufacture.

Sec. 8. A physician holding a permit from the Attorney General may pre-
2 scribe whiskey, brandy or alcohol, and no other kind of liquor. And no physi-

3 cian shall prescribe such liquor unless after careful physical examination of the
4 person for whose use such prescription is sought. Not more than a total
5 quantity of one pint of intoxicating liquor shall be prescribed for use by the
6 same person within any period of ten days and no prescription shall be filled
7 more than once, and no person shall procure or accept or have filled any pre-
8 scription for more than one pint of liquor within said period of ten days. Any
9 registered pharmacist, local registered pharmacist, or registered assistant phar-
10 macist filling a prescription for whiskey, brandy, or alcohol shall at the time
11 endorse upon it over his own signature the word "canceled," together with
12 the date when the liquor was delivered, and then make the same a part of the
13 record that he is required to keep as herein provided.

14 Every physician who issues a prescription for liquor shall keep a record,
15 alphabetically arranged in a book prescribed by the Attorney General which
16 shall show the date of issue, amount prescribed, to whom issued, the purpose
17 or ailment for which it is to be used and directions for use, stating the amount
18 and frequency of the dose.

Sec. 9. If at any time there shall be filed with the Attorney General a com-
2 plaint under oath setting forth facts showing, or if the Attorney General has
3 reason to believe, that any person who has a permit is not in good faith con-
4 forming to the provisions of this Act, or has violated the laws of the State
5 relating to intoxicating liquor, the Attorney General or his agent shall imme-
6 diately issue an order citing such person to appear before him on a day named
7 not more than thirty and not less than fifteen days from the date of service
8 upon such permittee of a copy of the citation, which citation shall be accom-
9 panied by a copy of such complaint, or in the event that the proceedings be
10 initiated by the Attorney General with a statement of the facts constituting
11 the violation charged, at which time a hearing shall be held unless continued for
12 cause. Such hearing shall be held within fifty miles of the place where the
13 offense is alleged to have occurred, unless the parties agree on another place.

14 If it be found that such person has been guilty of willfully violating any such
15 laws, as charged, or has not in good faith conformed to the provisions of this
16 Act, such permit shall be revoked, and no permit shall be granted to such
17 person within one year thereafter. Should the permit be revoked by the Attor-
18 ney General, the permittee may have a review of his decision before a court
19 of equity in the manner provided in Section 4 hereof. During the pendency of
20 such action such permit shall be temporarily revoked.

Sec. 10. No person shall manufacture, purchase for sale, sell, or transport
2 any liquor without making at the time a permanent record thereof showing in
3 detail the amount and kind of liquor manufactured, purchased, sold, or trans-
4 ported, together with the names and addresses of the persons to whom sold,
5 in case of sale, and the consignor and consignee in case of transportation, and
6 the time and place of such manufacture, sale or transportation. The Attor-
7 ney General may prescribe the form of such record, which shall at all times be
8 open to inspection as in this Act provided.

Sec. 11. All manufacturers and wholesale or retail druggists shall as a
2 part of the records required of them keep a copy of all permits to purchase on
3 which a sale of any liquor is made, and no manufacturer or wholesale druggist
4 shall sell or otherwise dispose of any liquor except at wholesale and only to per-
5 sons having permits to purchase in such quantities.

Sec. 12. All persons manufacturing liquor for sale under the provisions of
2 this Act shall securely and permanently attach to every container thereof, as
3 the same is manufactured, a label stating name of manufacturer, kind and
4 quantity of liquor contained therein, and the date of its manufacture, together
5 with the number of the permit authorizing the manufacture thereof; and all
6 persons possessing such liquor in wholesale quantities shall securely keep and
7 maintain such label thereon; and all persons selling at wholesale shall attach
8 to every package of liquor, when sold, a label setting forth the kind and quan-

9 tity of liquor contained therein, by whom manufactured, the date of sale, and
10 the person to whom sold; which label shall likewise be kept and maintained
11 thereon until the liquor is used for the purpose for which such sale was
12 authorized.

Sec. 13. It shall be the duty of every carrier to make a record at the place
2 of shipment of the receipt of any liquor transported, and he shall deliver liquor
3 only to persons who present to the carrier a verified copy of a permit to pur-
4 chase which shall be made a part of the carrier's permanent record at the
5 office from which delivery is made.

6 The agent of the common carrier is hereby authorized to administer the
7 oath to the consignee in verification of the copy of the permit presented, who, if
8 not personally known to the agent, shall be identified before the delivery of the
9 liquor to him. The name and address of the person identifying the consignee
10 shall be included in the record.

Sec. 14. It shall be unlawful for a person to use or induce any carrier,
2 or any agent or employee thereof, to carry or ship any package or receptacle
3 containing liquor without notifying the carrier of the true nature and character
4 of the shipment. No carrier shall transport nor shall any person receive liquor
5 from a carrier unless there appear on the outside of the package containing
6 such liquor the following information:

7 Name and address of the consignor or seller, name and address of the
8 consignee, kind and quantity of liquor contained therein, and number of the
9 permit to purchase or ship the same, together with the name and address of the
10 person using the permit.

Sec. 15. It shall be unlawful for any consignee to accept or receive any
2 package containing any liquor upon which appears a statement known to him
3 to be false, or for any carrier or other person to consign, ship, transport, or
4 deliver any such package, knowing such statement to be false.

Sec. 16. It shall be unlawful to give to any carrier or any officer, agent, or
2 person acting or assuming to act for such carrier an order requiring the de-
3 livery to any person of any liquor or package containing liquor consigned to,
4 or purporting or claimed to be consigned to a person, when the purpose of the
5 order is to enable any person not an actual bona fide consignee to obtain such
6 liquor.

Sec. 17. It shall be unlawful to advertise anywhere, or by any means or
2 method, liquor, or the manufacture, sale, keeping for sale or furnishing of the
3 same, or where, how, from whom, or at what price the same may be obtained.
4 No one shall permit any sign or billboard containing such advertisement to
5 remain upon one's premises. But nothing herein shall prohibit manufacturers
6 and wholesale druggists holding permits to sell liquor from furnishing price
7 lists, with descriptions of liquor for sale, to persons permitted to purchase
8 liquor, or from advertising alcohol in business publications or trade journals
9 circulating generally among manufacturers of lawful alcoholic perfumes, toilet
10 preparations, flavoring extracts, medicinal preparations, and like articles: *Pro-*
11 *vided, however,* that nothing in this Act shall apply to newspapers published
12 in foreign countries when mailed to this country.

Sec. 18. It shall be unlawful to advertise, manufacture, sell or possess
2 for sale any utensil, contrivance, machine, preparation, compound, designed, or
3 intended for use in the unlawful manufacture of intoxicating liquor.

Sec. 19. No person shall solicit or receive, nor knowingly permit his em-
2 ployes to solicit or receive, from any person any order for liquor or give any
3 information of how liquor may be obtained in violation of this Act.

Sec. 20. Any person who shall be injured in person, property, means of
2 support, or otherwise by any intoxicated person, or by reason of the intoxication
3 of any person, whether resulting in death or not, shall have a right of action
4 against any person who shall, by unlawfully selling to or unlawfully assisting

5 in procuring liquor for such intoxicated person, have caused or contributed to
6 such intoxication, and in any such action such person shall have a right to
7 recover actual and exemplary damages. In case of the death of either party,
8 the action or right of action given by this section shall survive to or against
9 his or her executor or administrator, and the amount so recovered by either
10 wife or child shall be his or her sole and separate property. Such action may be
11 brought in any court of competent jurisdiction. In any case where parents shall
12 be entitled to such damages, either the father or mother may sue alone therefor,
13 but recovery by one of such parents shall be a bar to suit brought by the other.

Sec. 21. Any room, house, building, boat, vehicle, structure, or place where
2 intoxicating liquor is manufactured, sold, kept, or bartered in violation of this
3 Act, and all intoxicating liquor and property kept and used in maintaining the
4 same, is hereby declared to be a common nuisance, and any person who main-
5 tains such a common nuisance shall be guilty of a misdemeanor and upon con-
6 viction thereof shall be fined not more than \$500.00 or be imprisoned not more
7 than six (6) months, or both. If a person has knowledge or reason to believe
8 that his room, house, building, boat, vehicle, structure, or place is occupied or
9 used for the manufacture or sale of liquor contrary to the provision of this Act,
10 and suffers the same to be so occupied or used, such room, house, building, boat,
11 vehicle, structure, or place shall be subject to a lien for and may be sold to pay
12 all fines and costs assessed against the person guilty of such nuisance for such
13 violation and any such lien may be enforced by action in any court having
14 jurisdiction.

Sec. 22. An action to enjoin any nuisance defined in this Act may be
2 brought in the name of the State of Illinois by the Attorney General of the
3 State or by any State's Attorney, City Attorney, or prosecuting attorney of
4 any city, or by any citizen of the County where a nuisance as herein defined
5 exists. Such action shall be brought and tried as an action in equity. If it is
6 made to appear by affidavits or otherwise, to the satisfaction of the court, or

7 judge in vacation, that such nuisance exists, a temporary writ of injunction
8 shall forthwith issue restraining the defendant from conducting or permitting
9 the continuance of such nuisance until the conclusion of the trial. If a temporary
10 injunction is prayed for, the court may issue an order restraining the defendant
11 and all other persons from removing or in any way interfering with the liquor
12 or fixtures, or other things used in connection with the violation of this Act con-
13 stituting such nuisance, until the conclusion of the trial.

14 Upon the granting of said temporary injunction and five days' written
15 notice being given to the defendant, the court shall set the matter down for a
16 preliminary hearing on the question of whether said temporary injunction shall
17 be dissolved, or remain in full force until the final hearing of the cause. At such
18 hearing both parties to the action shall have the right to present evidence in the
19 form of affidavits or oral testimony. If the hearing shall be continued at defend-
20 ant's instance, the writ as prayed for shall be granted as a matter of course.

21 After said hearing for temporary injunction, the court shall dissolve the
22 temporary injunction, if it finds that the injunction was improvidently granted.
23 If the court shall find on such hearing that such nuisance exists, it shall order
24 that said temporary order shall stand; and shall further order that the room
25 or place where such violation occurred shall not be occupied or used for any
26 purpose pending the hearing of the case on its merits, and that the property be
27 held in status quo.

28 No bond shall be required in instituting such proceedings.

29 It shall not be necessary for the court to find the property involved was
30 being unlawfully used, as aforesaid, at the time of the hearing. Upon the trial
31 of the cause when it shall have matured and set for hearing, as required by law,
32 on finding that the material allegations of the petition are true, the court shall
33 order that no liquor shall be manufactured, sold, bartered, or stored, in such
34 room, house, building, boat, vehicle, structure, or place, or any part thereof.
35 And upon judgment of the court ordering such nuisance to be abated, the court
36 may order that the room, house, building, structure, boat, vehicle, or place shall

37 not be occupied or used for one year thereafter; but the court may, in its discre-
38 tion, permit it to be occupied or used if the owner, lessee, tenant, or occupant
39 thereof shall give bond with sufficient surety, to be approved by the court making
40 the order, in the penal and liquidated sum of not more than Ten Thousand
41 (\$10,000.00) Dollars payable to the People of the State of Illinois, and condi-
42 tioned that intoxicating liquor will not thereafter be manufactured, sold, bar-
43 tered, kept, or otherwise disposed of therein or thereon, and that he will pay
44 all fines, costs, and damages that may be assessed for any violation of this Act
45 upon said property.

46 When any injunction, as herein provided, has been granted, it shall be bind-
47 ing upon the defendant and shall act as an injunction in personam against
48 defendant throughout the State.

Sec. 23. Complete equity jurisdiction is hereby conferred upon all County
2 Courts, concurrent with Circuit Courts, and the Superior Court of Cook County,
3 to hear and determine all injunction cases which may be brought under this Act.

Sec. 24. That any person who shall, with intent to effect a sale of liquor, by
2 himself, his employee, servant, or agent, for himself or any person, company or
3 corporation, keep or carry around on his person, or in a vehicle, or other convey-
4 ance whatever, or leave in a place for another to secure any liquor, or who
5 shall travel to solicit, or solicit, or take, or accept orders for the sale, shipment,
6 or delivery of liquor in violation of this Act is guilty of a nuisance and may be
7 restrained by injunction, temporary and permanent, for doing or continuing to
8 do any of said acts or things.

9 In such proceedings it shall not be necessary to show any intention on the
10 part of the accused to continue such violation, if the action is brought within
11 sixty days following any such violation of the law.

12 For removing and selling property in enforcing this Act, the officer shall
13 be entitled to charge and receive the same fee as the sheriff of the county would
14 receive for levying upon and selling property under execution, and for closing

the premises and keeping them closed a reasonable sum shall be allowed by the court.

Any violation of this Act upon any leased premises by the lessee or occupant thereof shall, at the option of the lessor, work a forfeiture of the lease.

Sec. 25. In the case of the violation of any injunction, temporary or permanent, granted pursuant to the provisions of this Act, the court, or in vacation a judge therefore, may summarily try and punish the defendant. The proceedings for punishment for contempt shall be commenced by filing with the clerk of the court from which such injunction issued information under oath setting out the alleged facts constituting the violation, whereupon the court or judge shall forthwith cause a warrant to issue under which the defendant shall be arrested. The trial may be had upon affidavits, or either party may demand the production and oral examination of the witnesses. Any person found guilty of contempt under the provisions of this section shall be punished by a fine of not less than \$200.00 nor more than \$1,000.00 or by imprisonment of not less than thirty days nor more than twelve months or by both fine and imprisonment.

Sec. 26. It shall be the duty of the State's Attorney of every county diligently to prosecute any and all persons violating any of the provisions of this Act in his county, and he shall be responsible for the proper enforcement of this Act, and whenever he shall have any information or knowledge, or have any reason to believe that any of the provisions of this Act are being violated in his county, he shall use every legitimate means at his command to secure the necessary and proper evidence of such violation, and immediately upon securing such evidence he shall file a complaint or cause a complaint to be filed against any person against whom he shall have any evidence of any such violation, and he shall have said person arrested and shall vigorously prosecute said complaints on said charges to final judgment.

In case the existence of any place where intoxicating liquors are manufactured or sold in violation of law is disclosed in any criminal proceedings, it

14 shall be the duty of the State's Attorney to proceed promptly to enforce the
15 provisions of this Act against such place as a nuisance.

16 The Attorney General shall secure the enforcement of all laws of the State
17 having to do with the prohibition of the liquor traffic and shall through his
18 assistants, agents, or investigators obtain evidence of violations, shall make, or
19 cause to be made complaints against violators whenever such evidence is se-
20 cured; and when he shall deem it expedient, he shall appear through himself or
21 his assistants to prosecute, or aid in the prosecution of cases; and he and his
22 assistants are hereby given authority to sign, verify and file any such com-
23 plaints, affidavits, petitions, indictments and papers required under this Act.
24 But nothing in this Act shall in any way relieve State, county, municipal or
25 other officers from the responsibility of enforcing the laws relating to the liquor
26 traffic.

Sec. 27. It shall be unlawful for any person to own, operate or maintain, or
2 have in his possession, or any interest in any apparatus for the manufacture
3 of ardent spirits, commonly known as a still, unless he shall first secure a
4 permit from the Attorney General to own such still, which permit shall be kept
5 conspicuously posted at the place where the still is located.

6 Thirty days from the date when this Act shall have become operative are
7 hereby given to persons owning stills to dispose of same or make application
8 for a permit as provided for in this Section.

9 Any person who violates this Section shall, for the first offense, be fined
10 not more than \$200.00 or imprisoned not exceeding six months, or both; and
11 for a second or subsequent offense shall be deemed guilty of a felony and upon
12 conviction thereof shall be fined not less than \$1,000.00 and confined in the
13 penitentiary for one year.

Sec. 28. It shall be unlawful to have or possess any liquor or property
2 designed for the manufacture of liquor intended for use in violating this Act
3 or which has been so used, and no property right shall exist in any such liquor
4 or property.

Sec. 29. Whenever complaint is made in writing, verified by affidavit, to

any judge having cognizance of criminal offenses, that complainant has just and reasonable grounds to believe and does believe that intoxicating liquor is manufactured, kept for sale, used, disposed of, or transported in violation of any law of this State in any house, building, premises, boat, vehicle, receptacle or any other place whatsoever (particularly describing and designating the same) with the facts upon which such belief is based, the judge may issue a search warrant as hereinafter provided: *Provided, however*, no warrant shall be issued to search a private dwelling occupied as such unless such warrant is signed by two judges, and unless such residence is a place of public resort or intoxicating liquor is sold or kept for sale in violation of the law. The property seized on any such warrant shall not be taken from the officer seizing the same on any writ of replevin or other like process. Each complaint may be substantially in the following form:

State of Illinois,	} ss.	Complaint for Search Warrant.
County of.....,		

The Complaint and Affidavit of.....(name of complainant) of.....(his residence), made before.....(name of officer), one of the.....(official title of officer), in and for said.....(county, city or village, as the case may be), on this, the.....day of....., 192., who, being first duly sworn, upon his oath, says: that he has just and reasonable grounds to believe and does believe that intoxicating liquor is now unlawfully.....(manufactured, kept for sale, used, disposed of, or transported, as the case may be), to-wit: At and within a certain.....(here describe the house, building, premises, boat, vehicle, receptacle, or other place, to be searched, with particulars as to the location sufficiently to identify it, stating the name of the person occupying the same, if known), in the....(city, village or town) of....., in the county and State aforesaid; and

30 that the following are the reasons for his belief, to-wit:.....

31(here insert the facts upon which such belief is based).

32 WHEREFORE, he prays that a search warrant may issue according to law.

33
34 (Signature of Complainant.)

35 SUBSCRIBED AND SWORN TO before me, this..... day of

36, 192...

37
38 (Official Title of Officer.)

39
40 (Official Title of Officer.)

Sec. 30. If the judge before whom any such complaint is made is satisfied
2 that there is reasonable cause for such belief, he shall issue a warrant directed
3 to any peace officer having jurisdiction, whom the complainant may designate,
4 commanding him to forthwith enter the house, building, premises, boat, vehicle,
5 receptacle, or other place therein described and designated (which shall be par-
6 ticularly described and designated in the warrant as in the complaint) and make
7 diligent and careful search for intoxicating liquor and if any intoxicating liquor
8 be there found, to seize the same, with the vessels containing the same, and all
9 implements, furniture and vehicles kept or used for the purpose of violating or
10 with which to violate, any law of this State or of the United States, and bring the
11 same, and any and all persons (if any there be) in whose possession they are
12 found, before the judge who issued the warrant, or in case of his absence or
13 inability to act, before some other judge having cognizance of the case. Such
14 warrant may be substantially in the following form:

15 State of Illinois, }
16 County of., } ss.

17 SEARCH WARRANT.

18 The people of the State of Illinois:

19 To.....(insert name and official title of officer), in
20 and for.....(county, city or village, as the case may be),
21 of..... Greeting:

22 WHEREAS, a complaint was this day made, in writing, verified by the affi-
 23 davit of..... (official title of officer), in and for said.....
 24 (county, city or village, as the case may be), stating that said com-
 25 plainant has just and reasonable grounds to believe and does believe that intoxi-
 26 eating liquor is now unlawfully (manufactured, kept for sale, used, disposed of,
 27 or transported, as the case might be), to-wit: At and within a certain.....
 28 (here copy the full description of the place to be
 29 searched as set forth in the complaint), in the..... (city,
 30 village or town), of....., in the County and State aforesaid, and
 31 from the facts upon which such belief is based, as set forth in said complaint,
 32 the undersigned is satisfied that there is reasonable cause for such belief.

33 WE THEREFORE COMMAND YOU, in the name of the People of the State of
 34 Illinois, taking with you the necessary and proper assistance in the.....
 35 (day or night time, as the case may be), to forthwith enter the said.....
 36 (house, building, premises, boat, vehicle, receptacle or other place, as the case
 37 may be), hereinabove described, and make diligent and careful search for in-
 38 toxicating liquor and seize and bring any and all intoxicating liquor there found
 39 and all vessels containing the same, and all implements, furniture and vehicles
 40 kept or used for the purpose of violating or with which to violate, any law of
 41 this State, there found, and any and all persons (if any there be), in whose pos-
 42 session they are found, forthwith before me at my office in.....
 43 (insert location), or in case of my absence or inability to act, before some other
 44 judge or justice of the peace having cognizance of the case, to be dealt with
 45 according to law.

46 GIVEN UNDER MY HAND AND SEAL, at my said office, this.....day of
 47, 192....
 48 (SEAL)

Sec. 31. When any officer of the law shall discover any person in the act of
 2 transporting in violation of the law, intoxicating liquors in any wagon, buggy,
 3 automobile, water or air craft, or other vehicle, it shall be his duty to seize any

4 and all intoxicating liquors found therein being transported contrary to law, with
5 or without a warrant. Whenever intoxicating liquors transported or possessed
6 illegally shall be seized by an officer he shall take possession of the vehicle and
7 team or automobile, boat, air or water craft, or any other conveyance, and shall
8 arrest any person in charge thereof. Such officer shall at once proceed against
9 the person arrested under the provisions of this Act in any court having compe-
10 tent jurisdiction; but the said vehicle or conveyance shall be returned to the
11 owner upon execution by him of a good and valid bond, with sufficient sureties,
12 in a sum double the value of the property, which said bond shall be approved by
13 the court having jurisdiction of the case and shall be conditioned to return said
14 property to the custody of said officer on the day of the trial to abide the judg-
15 ment of the court. The court upon conviction of the person so arrested shall
16 order the liquor destroyed. Summons shall issue against the owner of said
17 vehicle or conveyance and all persons holding liens against said property, if
18 they can be found within the jurisdiction of the Court; if not so found, service
19 must be had by publication as provided in Section 46 of this Act.

20 Unless good cause to the contrary is shown the Court shall order a sale by
21 public auction of the property seized, and the officer making the sale, after de-
22 ducting the expenses of keeping the property, the fee for the seizure, and the
23 cost of the sale, shall pay all liens, according to their priorities, which are estab-
24 lished, by intervention or otherwise at said hearing or in other proceeding
25 brought for said purpose, as being bona fide and as having been created without
26 the lienor having any notice that the carrying vehicle was being used or was to
27 be used for illegal transportation of liquor, and shall pay the balance of the pro-
28 ceeds into the Treasury of the County in which the violation occurred as miscel-
29 laneous receipts. All liens against property sold under the provisions of this
30 Section shall be transferred from the property to the proceeds of the sale of the
31 property. If, however, no one shall be found claiming the team, vehicle, water
32 or air craft, or automobile, the taking of the same, with a description thereof,
33 shall be advertised in some newspaper published in the city or county where

34 taken or if there be no newspaper published in such city or county, in a news-
35 paper having circulation in the county, once a week for two weeks and by hand-
36 bills posted in three public places near the place of seizure, giving notice to the
37 owner or lien holder of said property to appear in said court and show cause, if
38 any they have, why said property shall not be sold. And if no claimant shall
39 appear within ten days after the last publication of the advertisement, the
40 property shall be sold and the proceeds after deducting the expenses and costs
41 shall be paid into the Treasury of the County in which the violation occurred,
42 as miscellaneous receipts.

Sec. 32. In all cases in which intoxicating liquors may be subject to be
2 destroyed under the provisions of this Act, the court shall have jurisdiction
3 upon the application of the State's Attorney to order them delivered to any
4 department or agency of the State for medicinal, mechanical, or scientific uses,
5 or to order the same sold at private sale for such purposes to any person having
6 a permit to purchase liquor the proceeds to be covered into the Treasury of the
7 County in which the violation occurred, to the credit of miscellaneous receipts,
8 and all liquor heretofore seized in any suit or proceeding brought for violation
9 of law may likewise be so disposed of, if not claimed within sixty days from the
10 date this section takes effect.

Sec. 33. Any person who manufactures or sells liquor in violation of this
2 Act shall for a first offense be fined not more than \$300.00 or imprisoned not
3 less than two months, nor more than five months and for a second or subse-
4 quent offense shall be fined not less than \$500.00 nor more than \$2,000.00 and
5 be imprisoned not less than one year nor more than five years.

6 Any person violating the provisions of any permit, or who makes any false
7 record, report, or affidavit required by this Act or violates any of the provisions
8 of this Act, for which offense a special penalty is not prescribed, shall be fined
9 for a first offense not more than \$200.00; for a second offense not less than
10 \$500.00, nor more than \$1,000.00, or be imprisoned not more than ninety days;

11 for any subsequent offense he shall be fined not less than \$2,000.00 and be im-
 12 prisoned not less than six months nor more than one year. It shall be the duty
 13 of the prosecuting officer to ascertain whether the defendant has been previously
 14 convicted and to plead the prior conviction in the affidavit, information, or in-
 15 dictment. The penalties provided in this Act against the manufacture of liquor
 16 without a permit shall not apply to a person for manufacturing non-intoxicating
 17 cider and fruit juices exclusively for use in his home, but such cider and fruit
 18 juices shall not be sold or delivered except to persons having permits to manu-
 19 facture vinegar.

Sec. 34. No person shall be excused on the ground that it may tend to
 2 incriminate him or subject him to a penalty or forfeiture, from attending and
 3 testifying, for producing books, papers, documents, and other evidence in obedi-
 4 ence to a subpoena of any court in any suit or proceeding based upon or grow-
 5 ing out of an alleged violation of this Act; but no natural person shall be prose-
 6 cuted or subjected to any penalty or forfeiture for or on account of any trans-
 7 action, matter, or thing as to which, in obedience to a subpoena and under oath,
 8 he may so testify or produce evidence, but no person shall be exempt from prose-
 9 cution and punishment for perjury committed in so testifying.

Sec. 35. In case of a sale of liquor where the delivery thereof was made by
 2 a common or other carrier the sale and delivery shall be deemed to be made in
 3 the county wherein the delivery was made by such carrier to the consignee, his
 4 agent or employee, or in the county wherein the sale was made, or from which
 5 the shipment was made, the prosecution for such sale or delivery may be had
 6 in any such county.

Sec. 36. Investigators authorized by the Attorney General shall through-
 2 out the entire State of Illinois have all the powers and authority vested by law
 3 in constables.

Sec. 37. All suits or actions pending under any law in force at the date this Act takes effect, whether on behalf of the people of this State or any person or persons, may be prosecuted to final judgment and such judgment shall be enforced in like manner and with the same effect as though this Act were not passed, and all rights of action secured to said people or any person or persons under any existing law, are hereby preserved.

Sec. 38. All cities and villages shall have full power to make ordinances embracing such provisions of this Act as are applicable, and further to prohibit the manufacture, giving away, dispensing, selling, bartering, delivering, furnishing, possessing, keeping, purchasing, storing, advertising or exposing for sale, of intoxicating liquor for any purpose whatsoever.

No permit nor other authority to manufacture, store, sell, prescribe, or otherwise deal in the beverages or liquors for which a permit or other authority is required by this Act shall be issued to any person, or place, within the jurisdiction of any city or village which has duly enacted an ordinance prohibiting such Act or Acts; and any such permit shall become void upon the taking effect of such an ordinance.

Sec. 39. In any affidavit, information, or indictment for the violation of this Act, separate offenses may be united in separate counts and the defendant may be tried on all at one trial and the penalty for all offenses may be imposed. It shall not be necessary in any affidavit, information or indictment to give the name of the purchaser or to include any defensive negative averments, but it shall be sufficient to state that the Act complained of was then and there prohibited and unlawful, but this provision shall not be construed to preclude the trial court from directing and furnishing the defendant a bill of particulars when it deems it proper to do so

Sec. 40. After the going into effect of this Act, the possession of liquors by any person not legally permitted under this Act to possess liquor shall be prima facie evidence that such liquor is kept for the purpose of being sold, bartered,

4 exchanged, given away, furnished, or otherwise disposed of in violation of the
5 provisions of this Act. It shall not be unlawful to possess liquors in one's pri-
6 vate dwelling while the same is occupied and used by him as his dwelling only,
7 provided such liquors are for use only for the personal consumption of the
8 owner thereof and his family residing in such dwelling and of his bona fide
9 guests when entertained by him therein; and the burden of proof shall be upon
10 the possessor in any action concerning the same to prove that such liquor was
11 lawfully acquired, possessed and used.

Sec. 41. All records and reports kept or filed under the provisions of this
2 Act shall be subject to inspection at any reasonable hour by any public prose-
3 cutor or by any person designated by him, or by any peace officer in the State,
4 and copies of such records and reports duly certified by the person with whom
5 kept or filed may be introduced in evidence with like effect as the original
6 thereof, and verified copies of such records shall be furnished to the Attorney
7 General or State's Attorney when called for.

Sec. 42. It shall be the duty of all municipal officials to co-operate with the
2 enforcement of this Act.

3 If any sheriff, deputy sheriff, chief of police, marshal, policeman, constable
4 or other peace officer shall have knowledge, information or suspicion of any vio-
5 lation of any provision of this Act, he shall diligently investigate and secure
6 evidence of the same and shall, before the proper officer, make and sign com-
7 plaint against the offending person, anything in the ordinance or by-laws of any
8 municipality to the contrary notwithstanding.

Sec. 43. If any provision of this Act shall be held invalid, it shall not be
2 construed to invalidate other provisions of the Act.

Sec. 44. Nothing herein shall prevent the storage in United States bonded
2 warehouses of liquor manufactured prior to January 17, 1920, or prevent the
3 transportation of such liquor to such warehouses or to any wholesale druggist

4 for sale to such druggist for purposes not prohibited when the tax is paid, and
5 permits may be issued therefor.

Sec. 45. A manufacturer of any beverage containing less than one-half of
2 1 per centum of alcohol by volume may, on making application and giving such
3 bond as the Attorney General shall prescribe, be given a permit to develop in the
4 manufacture thereof by the usual methods of fermentation and fortification or
5 otherwise a liquid such as beer, ale, porter, or wine, containing more than one-
6 half of 1 per centum of alcohol by volume, but before any such liquid is with-
7 drawn from the factory or otherwise disposed of the alcoholic contents thereof
8 shall under such rules and regulations as the Attorney General may prescribe be
9 reduced below such one-half of 1 per centum of alcohol: *Provided*, that such
10 liquid may be removed and transported, under bond and under such regulations
11 as the Attorney General may prescribe, from one bonded plant or warehouse to
12 another for the purpose of having the alcohol extracted therefrom. And such
13 liquids may be developed, under permit, by persons other than the manufac-
14 turers of beverages containing less than one-half of 1 per centum of alcohol by
15 volume, and sold to such manufacturers for conversion into such beverages.

16 In any case where the manufacturer is charged with manufacturing or sell-
17 ing for beverage purposes any malt, vinous, or fermented liquids containing one-
18 half of 1 per centum or more of alcohol by volume, or in any case where the
19 manufacturer, having been permitted by the Attorney General to develop a
20 liquid such as ale, beer, porter, or wine containing more than one-half of 1 per
21 centum of alcohol by volume in the manner and for the purpose herein provided,
22 is charged with failure to reduce the alcoholic content of any such liquid below
23 such one-half of 1 per centum before withdrawing the same from the factory,
24 then in either such case the burden of proof shall be on such manufacturer to
25 show that such liquid so manufactured, sold, or withdrawn contains less than
26 one-half of 1 per centum of alcohol by volume. In any suit or proceeding in-
27 volving the alcoholic content of any beverage, the reasonable expense of analysis
28 of such beverage shall be taxed as costs in the case.

Sec. 46. In all cases wherein the property of any citizen is proceeded
 2 against or wherein a judgment affecting it might be rendered, and the citizen
 3 is not the one who in person violated the provisions of the law, summons must be
 4 issued in due form and served personally, if said person is to be found within
 5 the jurisdiction of the court.

6 Whenever any complainant or his attorney shall file in the office of the clerk
 7 of the court in which his suit is pending, an affidavit showing that any defendant
 8 resides or hath gone out of this State, or on due inquiry cannot be found, or is
 9 concealed within this State, so that process cannot be served upon him, and stat-
 10 ing the place of residence of each defendant if known, or that upon diligent
 11 inquiry his place of residence cannot be ascertained, the clerk shall cause publica-
 12 tion to be made in some newspaper printed in his county, and if there be no news-
 13 paper printed in his county, then in the nearest newspaper published in this
 14 State, containing notice of the pendency of such suit, the names of the parties
 15 thereto, the title of the court, and the time and place of the return of summons in
 16 the case; and he shall also, within ten days of the first publication of such
 17 notice, send a copy thereof by mail, addressed to such defendant whose place of
 18 residence is stated in such affidavit. The certificate of the clerk that he has sent
 19 such notice in pursuance of this section, shall be evidence.

20 The notice required in the preceding paragraph may be given any time after
 21 the commencement of the suit, and shall be published at least once in each week
 22 for four successive weeks, and no default of proceeding shall be taken against
 23 any defendant not served with summons, or a copy of the bill and not appearing,
 24 unless thirty days shall intervene between the first publication as aforesaid, and
 25 the first day of the term at which such default or proceeding is proposed to be
 26 taken.

Sec. 47. Any person holding a permit from the government of the United
 2 States to operate an industrial alcohol plant or warehouse shall, within at least
 3 fifteen days after this Act becomes effective or within three days after receiving
 4 any such permit, file duplicate copies thereof with the Attorney General, who,

5 within thirty days after receipt of such copies shall cause an inspection to be
6 made of the premises described in such permit and, if he finds that said premises
7 conform to the laws of this State, he shall countersign such copies and return one
8 copy to the holder named in the permit which shall be his authority for doing the
9 Acts specified in said permit within the State of Illinois, and the Attorney Gen-
10 eral shall retain the other copy on file in his office.

Sec. 48. Whoever operates an industrial alcohol plant or warehouse or a
2 denaturing plant without complying with the provisions of this Act, or in viola-
3 tion of the terms of the permit countersigned by the Attorney General, or with-
4 out complying with all lawful regulations made by the Attorney General in
5 reference thereto, shall be liable for the first offense to a penalty of not exceed-
6 ing One Thousand (\$1,000.00) Dollars, or imprisonment not exceeding thirty
7 days, or both, and for a second or a subsequent offense to a penalty of not less
8 than one hundred (\$100.00) dollars or more than ten thousand (\$10,000.00) dol-
9 lars and to imprisonment of not less than thirty days nor more than one year,
10 and the Attorney General, after a second or subsequent offense, may refuse for
11 a period of one year thereafter to countersign a permit for the manufacture or
12 use of alcohol upon the premises of any person responsible in any degree for
13 the violation. Any industrial alcohol plant or warehouse operated in this State
14 without the owner or operator thereof holding a permit from the Federal Gov-
15 ernment, duly countersigned by the Attorney General of Illinois, is hereby de-
16 clared to be a common nuisance which nuisance shall be abated and the party
17 maintaining the same shall be punished as provided in Sections 21, 22 and 25
18 of this Act.

Sec. 49. No permit or other authority to manufacture, store, sell, pre-
2 scribe, or otherwise deal in the beverages for which a permit or other authority
3 is required by this Act shall be issued to, nor countersigned for, any person not
4 a citizen of the United States, or a corporation incorporated under the laws of
5 the United States of the several states.



- 1 Introduced by Mr. Bippus, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenues.

A BILL

For an Act entitled, "An Act to provide for the creation, setting apart, maintenance, and administration of a Policemen's Annuity and Benefit Fund in cities having a population exceeding two hundred thousand inhabitants."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in each city in this State, having a population of more than two hundred thousand (200,000) inhabitants a Policemen's Annuity and Benefit Fund shall be created, set apart, maintained and administered, in the manner prescribed in this Act, for the benefit of policemen employed by such city, and of the widows and children of such policemen, and of all contributors to, participants in, and beneficiaries of any Police Pension Fund in operation, by authority of law, in such city at the time this Act shall come in force and effect in such city.

Sec. 2. A board composed of seven (7) members shall be and constitute a board of trustees authorized to carry out the provisions of this Act and charged with the duty of administering the Annuity and Benefit Fund herein

4 provided for. Said board of trustees shall be known as the Retirement Board
5 of the Policemen's Annuity and Benefit Fund of such city, which board is here-
6 inafter referred to as the "Retirement Board."

7 The said Retirement Board shall consist of the following: Three (3) mem-
8 bers who shall be persons appointed by the mayor of such city; three (3) mem-
9 bers who shall be policemen employed by such city, at least one (1) of whom
10 shall be a sergeant or of rank superior to that of sergeant, and one member
11 who shall be an annuitant of the Annuity and Benefit Fund herein provided for,
12 or a pensioner of any Police Pension Fund in operation, by authority of law,
13 in such city at the time this Act shall come in force and effect in such city.

14 Within thirty (30) days from and after the date upon which this Act shall
15 come in force and effect in such city, the mayor of such city shall appoint three
16 (3) persons to serve as members of said Retirement Board. One such person
17 shall be appointed for a term which shall end on the first day in the month of
18 December of the third year after the year in which this Act shall come in
19 force and effect in such city, one for a term which shall end on the first day in
20 the month of December of the second year after the year in which this Act
21 shall come in force and effect in such city, and one for a term which shall end
22 on the first day in the month of December of the first year after the year in
23 which this Act shall come in force and effect in such city. At least thirty
24 (30) days prior to the expiration of the term of office of the appointive member
25 whose term shall next expire, the mayor of such city shall appoint a successor
26 to such member for a term of three (3) years. Any person appointed as afore-
27 said, to membership upon said Retirement Board shall continue in office until
28 his successor shall have been appointed and shall have qualified.

29 Within thirty (30) days from and after the date upon which this Act shall
30 come in force and effect in such city, the mayor of such city shall arrange
31 for and hold an election, at which all policemen employed by such city at the
32 time such election shall be held, shall have a right to vote, and at which the
33 ballot shall be of secret character, for the election of three (3) members of said

34 Retirement Board who shall be policemen employed by such city. At such elec-
35 tion one such policeman shall be elected for a term which shall end on the first
36 day in the month of December of the third year after the year in which this
37 Act shall come in force and effect in such city, one for a term which shall end
38 on the first day in the month of December of the second year after the year in
39 which this Act shall come in force and effect in such city, and one for a term
40 which shall end on the first day in the month of December of the first year after
41 the year in which this Act shall come in.

42 Within thirty (30) days from and after the date upon which this Act shall
43 come in force and effect in such city, the mayor of such city shall arrange for
44 and hold an election—at which all pensioners (except children pensioners less
45 than eighteen (18) years of age) of any Police Pension Fund in operation, by
46 authority of law, in such city at the time this Act shall come in force and effect
47 in such city and the legal guardian of any child pensioner of said Police Pen-
48 sion Fund whose mother or step-mother shall not be a pensioner of said Police
49 Pension Fund shall have a right to vote—for the election of a member of said
50 Retirement Board who shall be a pensioner of said Police Pension Fund. Any
51 child pensioner, less than eighteen (18) years of age, of said Police Pension
52 Fund shall not be eligible for the office of member of the Retirement Board.
53 At such election such pensioner shall be elected for a term which shall end on
54 the first day in the month of December of the first year after the year in which
55 this Act shall come in force and effect in such city.

56 In the first year after the year in which this Act shall come in force and
57 effect in such city, and in each year thereafter, the Retirement Board shall con-
58 duct regular elections, under rules to be adopted by it, at least thirty (30) days
59 prior to the date of expiration of the term of the active policeman member
60 whose term shall next expire, for the election of a successor to such member
61 for a term of three (3) years. Each such successor shall be a policeman em-
62 ployed by such city. At all such elections all policemen employed by such city
63 at the time any such election shall be held shall have a right to vote, and the
64 ballot shall be of secret character.

65 In the first year after the year in which this Act shall come into force and
66 effect in such city and in each year thereafter the Retirement Board shall con-
67 duct regular elections, under rules to be adopted by it, at least thirty (30) days
68 prior to the date of expiration of the term of the member of such Retirement
69 Board who shall be a pensioner of any Police Pension Fund in operation, by
70 authority of law, in such city at the time this Act shall come in force and effect
71 in such city, or who shall be an Annuitant of the Annuity and Benefit Fund
72 herein provided for, for the election of a successor to such member for a term
73 of one (1) year. Each such successor shall be an annuitant of the Annuity and
74 Benefit Fund herein provided for or a pensioner of the said Police Pension
75 Fund; provided, that children less than eighteen (18) years of age shall not
76 be eligible for the office of member of the Retirement Board. At all such elec-
77 tions all annuitants of the Annuity and Benefit Fund herein provided for, and
78 all pensioners of the Police Pension Fund described in this paragraph (except
79 children less than eighteen (18) years of age), and the legal guardian of any
80 child annuitant of the Annuity and Benefit Fund herein provided for, or of any
81 child pensioner of the said Police Pension Fund, whose mother or step-mother
82 shall not be an annuitant of said Annuity and Benefit Fund or a pensioner of
83 said Police Pension Fund, shall have a right to vote, and the ballot shall be of
84 secret character.

85 Any member of the Retirement Board, elected as aforesaid, shall continue
86 in office until his successor shall have been elected and shall have qualified.

87 If a vacancy shall occur in the membership of said Retirement Board owing
88 to death, resignation or any other cause, said vacancy shall be filled as follows:
89 In case the vacant membership be that of an appointee of the mayor of such
90 city, the said mayor shall appoint a person to serve during the remainder of the
91 unexpired term. In case the vacant membership be that of an active policeman,
92 the remaining active policemen members of the Retirement Board shall appoint
93 an active policeman who shall serve until an active policeman shall be elected
94 and shall qualify to serve during the remainder of the unexpired term. Such

95 active policeman shall be elected at a special election which shall be held con-
96 currently with and in the same manner as the next regular election for the elec-
97 tion of an active policeman member of the Retirement Board. In case the
98 vacant membership be that of a pensioner or annuitant member, the remain-
99 ing elective members of the Retirement Board shall appoint a pensioner of the
100 Police Pension Fund hereinbefore described in this section, or an annuitant of
101 the Annuity and Benefit Fund herein provided for who shall serve during the
102 remainder of the unexpired term.

103 Any person appointed or elected as aforesaid shall qualify for the office of
104 member of said Retirement Board by taking an oath of office. Said oath shall
105 be administered by the City Clerk of such city and a copy thereof shall be kept
106 in the office of said City Clerk.

107 The appointive members of said Retirement Board may be removed from
108 office by the mayor of such city. Any member of said Retirement Board,
109 elected as aforesaid, by the policemen employed by such city, who shall leave
110 the police service of such city shall automatically cease to be a member of said
111 Retirement Board.

Sec. 3. No member of said retirement board shall receive or have any right
2 to receive any money or moneys, from the annuity and benefit fund herein pro-
3 vided for as salary for service performed as a member of said board but any
4 policeman member shall have a right to and shall be reimbursed for any
5 amount of salary which shall be withheld from such member by the City Comp-
6 troller of such city, or by any officer or employee of such city, because of attend-
7 ance at any meeting of said Retirement Board of the performance of any other
8 duty in connection with the Annuity and Benefit Fund herein provided for.

Sec. 4. The said Retirement Board shall hold regular meetings in the
2 months of March, June, September and December of each year and shall hold
3 such other meetings as may be deemed necessary by such board. A majority of
4 the members of said retirement Board shall constitute a quorum for the transac-

tion of business at any such meeting, provided, that no annuity or benefit shall be allowed or granted and no money shall be paid out of the Annuity and Benefit Fund herein provided for unless the same shall be ordered by a vote of the majority of the members of said Retirement Board.

Sec. 5. As soon as possible after the first seven (7) members of the said Retirement Board shall have been selected as aforesaid, the said Retirement Board shall meet and from among its members, elect by a majority vote of the members who vote upon the question, a president and a recording secretary who shall serve as such president and recording secretary respectively until the successor of each such person shall be elected as stated hereinafter in this section.

At the regular meeting in December of the year in which this Act shall come in force and effect in such city, and at the regular meeting in December of each year thereafter, the said Retirement Board shall elect, by a majority vote of the members who vote upon the question, a president, and a recording secretary from among its own members. Such recording secretary shall make a complete record of the proceedings of all meetings of said Retirement Board and shall perform such other duties as said Retirement Board shall direct.

Sec. 6. The Retirement Board shall have the power and it shall be the duty of said Retirement Board to:

(a) See that all amounts specified in this Act to be applied to the Annuity and Benefit Fund herein provided for, from any source, are collected and applied to such fund. It shall see that the various sums to be deducted from the salaries of the various policemen concerned are deducted and that such sums are paid into said fund, and that the various sums to be contributed by the city are so contributed and are received into said fund, and that any revenue in the form of interest upon moneys invested or upon moneys due to said fund is received and placed in said fund, and that all other moneys which should accrue to said fund are collected and paid into it.

(b) Notify on or before the first day in the month of December of the year in which this Act shall come in force and effect in such city, the City Comptroller of such city of the amounts or percentages of salary which shall be deducted from the salaries of all policemen employed by such city and paid into the Annuity and Benefit Fund herein provided for, from and after the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city.

(c) Notify such City Comptroller concerning any such amount or percentage of salary to be deducted whenever said Retirement Board shall deem notice concerning such matter necessary.

(d) Accept by gift, grant, bequest or otherwise any money or property of any kind and use the same for the purposes of the Annuity and Benefit Fund herein provided for.

(e) Invest the moneys of said Annuity and Benefit Fund in interest bearing bonds of the United States, or of the State of Illinois, or of any county of the State of Illinois, or of any city, village, incorporated town or municipal corporation in said state. Any bond purchased by the said Retirement Board shall be registered in the name of the Annuity and Benefit Fund herein provided for.

(f) Have an audit of the accounts of the Annuity and Benefit Fund herein provided for made at least once each year, by a person or persons competent to perform such work.

(g) Consider and pass upon all applications for annuities and benefits, authorize the payment of any annuity or benefit, and suspend any such payment or payments in accord with the provisions of this Act.

(h) Require each policeman employed by such city, including, in addition to all others, those on vacation and those on leave of absence—to file a statement or statements, in such form as the said Retirement Board shall direct, concerning all service (as defined in this Act) rendered by such policeman prior to the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city; examine such statements and de-

42 termine the various periods of such service rendered by such policemen, which
43 determination shall be conclusive as to any period of such service unless said
44 Retirement Board shall reconsider any case within one year from the date of
45 such determination and shall change the determination in such case.

46 (i) Determine, from such information as shall be available to said Retire-
47 ment Board, the period of service rendered prior to the first day in the month of
48 January of the first year after the year in which this Act shall come in force
49 and effect in such city, by any such policeman who shall fail to file such a state-
50 ment, or whose statement such Retirement Board shall be unable to verify. Any
51 such determination shall be conclusive as to any such period of service unless
52 said Retirement Board shall reconsider any such case within one year from the
53 date of such determination and shall change the determination in such case.

54 (j) Issue to each present employee (as hereinafter defined) as soon as
55 possible and practicable after the first day in the month of January of the first
56 year after the year in which this Act shall come in force and effect in such city, a
57 certificate which shall show the entire period of service rendered by such pres-
58 ent employee prior to such date and the amounts to the credit of such present
59 employee as of such date, for Prior Service Annuity and Widow's Prior Service
60 Annuity purposes.

61 (k) Submit a report in the month of march of each year to the City Council
62 of such city. Said report shall be made as of the close of business on the thirty-
63 first day of December of the preceding year and shall contain a detailed state-
64 ment of the affairs of the Annuity and Benefit Fund under the control of said
65 Retirement Board. Such report shall show the income and disbursements of,
66 and the assets and liabilities of each fund established and maintained, as herein-
67 after provided, within the Annuity and Benefit Fund herein provided for, during
68 the preceding year.

69 (l) Compel witnesses to attend and testify before it upon any matter con-
70 cerning such Annuity and Benefit Fund and allow fees not in excess of three (3)
71 dollars to any such witness for such attendance upon any one day. The presi-

dent and other members of the said Retirement Board are empowered to administer oaths to such witnesses.

(m) Appoint such actuarial, medical, clerical or other employees as shall be necessary, all of whom except one (1) actuary and any physician or surgeon shall be appointed in accordance with the provisions of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, as subsequently amended.

(n) Make rules and regulations necessary for the proper conduct of the affairs of such Annuity and Benefit Fund.

Sec. 7. The City Treasurer of such city shall be the custodian of the Annuity and Benefit Fund herein provided for and shall furnish to the said Retirement Board a bond of such amount as the said board may designate, which bond shall indemnify the said board against any loss which may result from any action or failure to act on the part of such custodian or any of his agents. All fees and charges incidental to the procuring and giving of such bond shall be paid by said Retirement Board.

Sec. 8. The Chief legal officer of such city shall be the legal advisor of and attorney for the said Retirement Board.

Sec. 9. No member of the Retirement Board, nor any person officially connected with said board, either as an employee of said board, or as legal advisor thereof, or as custodian of the Annuity and Benefit Fund herein provided for, shall have any financial interest in the gains or profits of any investment made by said Board, nor shall any such person act as the agent of any other person or persons who may have such interest concerning any such investment.

Sec. 10. It shall be the duty of the proper officers of such city to:

(a) Deduct all sums which this Act provides shall be deducted from the salaries of policemen, and pay such sums to the Retirement Board of the Anna-

4 ity and Benefit Fund herein provided for in such manner as said Retirement
5 Board shall specify.

6 (b) On the first day of each month, notify the Retirement Board of the
7 employment of any new policemen, and of all discharges, resignations and sus-
8 pensions from the service, deaths, and changes in salary of policemen which
9 shall have occurred during the preceding month, and state the dates upon which
10 any such events shall have occurred.

11 (c) Procure for and transmit to the Retirement Board, in such form and
12 at such time or times as shall be specified by said Retirement Board, all infor-
13 mation requested by said Retirement Board concerning the service, age, salary,
14 residence, marital condition, wife or widow, children, physical condition, mental
15 condition, and death of any policeman employed by such city, in particular, in-
16 formation concerning service rendered by any such policeman prior to the first
17 day in the month of January of the first year after the year in which this Act
18 shall come in force and effect in such city.

19 (d) Convey to the Retirement Board all information required by said
20 Retirement Board concerning each newly appointed policeman immediately after
21 the appointment of such policeman.

22 (e) Certify to the Retirement Board, as of some day in each year to be
23 fixed by said Retirement Board, the name of each policeman to whom this Act
24 applies.

25 (f) Keep such records concerning policemen as the Retirement Board may
26 reasonably require and shall specify.

27 (g) All such duties shall be performed by said officers of such city without
28 any cost to the Annuity and Benefit Fund herein provided for.

Sec. 11. It shall be lawful for any such city to levy a tax, of not more than
2 one and six-tenths ($1 \frac{6}{10}$) mills on the dollar of the assessed valuation of all
3 taxable property in such city, upon all taxable property in such city for the pur-
4 pose of providing revenue for the Annuity and Benefit Fund herein provided for.

5 For such purpose, beginning in the year in which this Act shall come in
6 force and effect in such city, the city council of such city shall levy such a tax
7 annually upon all taxable property in such city at the rate on the dollar of the
8 assessed valuation of all such taxable property that will produce a sum which,
9 when added to the amounts deducted from the salaries of the policemen in-
10 cluded under the provisions of this Act and applied to the Annuity and Benefit
11 Fund herein provided for, will be sufficient for the purposes of said fund in
12 accordance with the provisions of this Act. Said tax shall be levied and col-
13 lected in like manner with the general taxes of such city, and shall be in addi-
14 tion to all other taxes which such city is now or may hereafter be authorized
15 to levy upon the aggregate valuation of all taxable property within such city.
16 The County Clerk of the county in which such city is located, in reducing tax
17 levies under the provisions of an Act entitled "An Act concerning the levy
18 and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subse-
19 quently amended, shall not consider any such tax as a part of the general tax
20 levy for city purposes, and shall not include the same in the limitation of two
21 (2) per cent of the assessed valuation upon which taxes are required to be
22 extended.

23 The amount of the tax to be levied in any one year shall be certified to the
24 City Council of such city on or before the first day in the month of October of
25 such year, by the Retirement Board of the Annuity and Benefit Fund herein
26 provided for.

27 As soon as any revenue derived from the said tax shall be collected, the
28 same shall be paid into the Annuity and Benefit Fund herein provided for.

29 If the funds available for the purposes of this Act shall be insufficient dur-
30 ing any year to meet the requirements of this Act, such city may issue tax
31 anticipation warrants, as provided by law, against the tax levy for the current
32 fiscal year.

33 The various sums, hereinafter stated, to be contributed by such city for the
34 purposes of this Act, shall be taken from the revenue derived from said tax.

Sec. 12. The following words and terms as used in this Act shall mean as follows, respectively:

“Policeman”: Any person appointed and sworn or designated by law as a policeman of such city, and who has served, or is serving, or shall serve in the regular constituted police department of such city as a policeman, or policeman, or police patrol driver, or police operator, or police dog catcher, or police kennelman, and member of the police force of such police department.

“Future Entrant”: Any policeman who shall be employed as a policeman of such city for the first time on or after the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city.

“Present Employee”: Any policeman who shall be in the employment of such city as a policeman thereof on the thirty-first day in the month of December of the year in which this Act shall come in force and effect in such city.

“Active Policeman”: Any policeman employed as a policeman by such city.

“Salary”: Annual salary; provided, that two thousand six hundred dollars (\$2,600.00) shall be the maximum amount of the annual salary of any policeman which shall be considered for any purpose under this Act. Any amount of annual salary in excess of said amount of two thousand six hundred dollars (\$2,600.00) which any policeman shall receive shall not be considered for any purpose under this Act.

“Disability”: A condition of physical or mental incapacity on the part of a policeman to perform the duties of his position in the service.

“Discharge”: Complete separation from the service.

“Assets”: The total value of cash and other property held. Bonds shall be held at their book values.

Sec. 13. To defray the cost of administration of the Annuity and Benefit Fund herein provided for during the calendar year in which this Act shall come in force and effect in such city, the City Council of such city shall provide a

4 sum not in excess of seven thousand dollars (\$7,000.00) from any moneys
5 available for such purpose.

6 Thereafter, to provide the money necessary to defray the cost of adminis-
7 tration of the Annuity and Benefit Fund herein provided for, contributions to
8 said Annuity and Benefit Fund shall be made by the policemen employed by
9 such city and by such city as follows:

10 From and after the first day in the month of January of the first year after
11 the year in which this Act shall come in force and effect in such city, one-
12 eighth ($\frac{1}{8}$) of one (1) per cent of each payment of the salary of each police-
13 man from whose salary deductions are made for Age and Service Annuity pur-
14 poses, as stated hereinafter, shall be deducted at the time that any payment
15 of salary shall be payable to such policeman and shall be paid into such Annuity
16 and Benefit Fund, and the city shall contribute any additional amount required
17 to defray the cost of such administration.

Sec. 14. For all purposes of this Act it shall be assumed that the annual
2 salary of any present employee has been of the same amount throughout the
3 entire period of service rendered by such employee prior to the first day in the
4 month of January of the first year after the year in which this Act shall come
5 in force and effect in such city, that such salary shall be at five o'clock P. M.
6 on the thirty-first day in the month of December of the year in which this Act
7 shall come in force and effect in such city.

Sec. 15. Annuity to be known as "Age and Service Annuity," shall be
2 provided for future entrants and for present employees. Any such annuity
3 shall consist of equal monthly payments for life. The first payment shall not
4 become due and payable until one month after the occurrence of the event upon
5 which payment of such annuity shall depend.

Sec. 16. To provide Age and Service Annuities for future entrants, con-
2 tributions to the Annuity and Benefit Fund herein provided for shall be made
3 by each future entrant and by such city as follows:

4 From and after the first day in the month of January of the first year
 5 after the year in which this Act shall come in force and effect in such city,
 6 three and one-half ($3\frac{1}{2}$) per cent of each payment of the salary of each future
 7 entrant shall be deducted and contributed to the Annuity and Benefit Fund
 8 herein provided for. Such deductions shall be made at the times such payments
 9 of salary are payable and shall be continued while such future entrant shall
 10 be in the service until he shall attain an age of fifty-seven (57) years.

11 Concurrently with each such deduction from the salary of any future en-
 12 trant, the city shall contribute a sum equal to eight and one-half ($8\frac{1}{2}$) per
 13 cent of each payment of the salary of such future entrant. In case it shall not
 14 be possible or practicable for the city to make any such contribution at the
 15 same time that any such deduction shall be made, the city shall make such con-
 16 tribution as soon as possible and practicable thereafter with interest thereon at
 17 the rate of four (4) per cent per annum to the time it shall be made, so that
 18 each such contribution shall equal exactly two and three-sevenths ($2\frac{3}{7}$) times
 19 the value of each such corresponding deduction as such value shall be at the
 20 time such contribution shall be made.

21 Each such deduction from salary and corresponding contribution by the
 22 city shall be allocated to the account of and credited to the future entrant for
 23 whose benefit it is made for Age and Service Annuity purposes. Each amount
 24 so credited to a future entrant shall be improved to the credit of such future
 25 entrant by interest at the rate of four (4) per cent per annum during all time
 26 thereafter that such future entrant shall be in the service, until such future
 27 entrant shall attain an age of fifty-seven (57) years. The sum thus accumu-
 28 lated shall be the amount which shall be used to provide Age and Service
 29 Annuity for such future entrant. Any interest or other accretion upon the accu-
 30 mulated sum to the credit of any such future entrant at the time such future
 31 entrant shall have attained an age of fifty-seven (57) years, which may accrue
 32 thereafter, shall not be credited to any such future entrant for the purpose of
 33 increasing the amount of annuity to which such future entrant shall have
 34 right.

Sec. 17. To provide Age and Service Annuities for present employees.

contributions to the Annuity and Benefit Fund herein provided for shall be made by each present employee and by such city as follows:

From and after the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city, three and one-half ($3\frac{1}{2}$) per cent of each payment of the salary of each present employee shall be deducted and contributed to the Annuity and Benefit Fund herein provided for. Such deductions shall be made at the times such payments of salary are payable and shall be continued while such present employee shall be in the service until the amount so deducted from the salary of such present employee together with the amount deducted from his salary or otherwise paid by him according to law, and applied to any Police Pension Fund in operation, by authority of law, in such city at the time this Act shall come in force and effect in such city, with interest on both such amounts at the rate of four (4) per cent per annum, shall be equal to the sum which would have accumulated to the credit of such present employee for Age and Service Annuity purposes from sums deducted from his salary if deductions from his salary for such purposes at the rate herein stated had been made during the entire period of his service until his attainment of an age of fifty-seven (57) years, together with interest upon such sum at the rate of four (4) per cent per annum for the period of time subsequent to his attainment of an age of fifty-seven (57) years.

Concurrently with each such deduction from the salary of any present employee, the city shall contribute a sum equal to eight and one-half ($8\frac{1}{2}$) per cent of each payment of the salary of such present employee until such present employee shall have attained an age of fifty-seven (57) years. In case it shall not be possible or practicable for the city to make any such contribution at the same time that any such deduction shall be made, the city shall make such contribution as soon as possible and practicable thereafter, with interest thereon at the rate of four (4) per cent per annum to the time it shall be made, so that

31 each such contribution shall equal exactly two and three-sevenths ($2\frac{3}{7}$) times
32 the value of each such corresponding deduction as such value shall be at the time
33 such contribution shall be made.

34 Each deduction from the salary of any present employee for Age and Serv-
35 ice Annuity purposes, made prior to the date when the amount of Age and
36 Service Annuity to which such present employee shall have a right shall be
37 fixed as stated in section 27 of this Act and each corresponding contribution by
38 the city for such annuity purposes shall be allocated to the account of and
39 credited to the present employee for whose benefit it is made, and shall be im-
40 proved to the credit of such present employee by interest at the rate of four
41 (4) per cent per annum during the time such present employee shall be in the
42 service until the amount of such Age and Service Annuity shall be fixed. The
43 sum thus accumulated shall be the amount which shall be used to provide Age
44 and Service Annuity for such present employee. Any accretion, by way of in-
45 terest or otherwise, upon such sum or any deduction from the salary of such
46 present employee made after the amount of such annuity shall be fixed shall
47 not be credited to such present employee for the purpose of increasing the
48 amount of annuity to which such present employee shall have a right.

Sec. 18. Annuity to be known as "Prior Service Annuity" shall be pro-
2 vided for present employees in addition to Age and Service Annuity. Any such
3 annuity shall consist of equal monthly payments for life. The first payment
4 shall not become due and payable until one month after the occurrence of the
5 event upon which payment of such annuity shall depend.

Sec. 19. Prior Service Annuity, shall be provided for present employees
2 from amounts to be ascertained by the Retirement Board and credited to such
3 present employees, as follows:

4 (a) As soon as possible, the Retirement Board shall ascertain the amounts
5 which have been deducted from the salary of each present employee and ap-
6 plied to any Police Pension Fund in operation, by authority of law, in such city

7 at the time this Act shall come in force and effect in such city, and also all
8 other amounts paid into such fund according to law by such present employee
9 before the first day in the month of January of the first year after the year in
10 which this Act shall come in force and effect in such city. Each such present
11 employee shall be credited in his account in the Annuity and Benefit Fund
12 herein provided for with an amount equal to the aggregate of all such amounts
13 deducted from his salary and otherwise paid by him, with interest on such
14 amounts at the rate of four (4) per cent per annum from the dates when such
15 amounts shall have been deducted, or paid, to the first day in the month of
16 January of the first year after the year in which this Act shall come in force
17 and effect in such city.

18 (b) As soon as possible, the Retirement Board shall ascertain the term
19 of service rendered prior to the first day in the month of January of the first
20 year after the year in which this Act shall come in force and effect in such
21 city by each present employee, and each such present employee shall be cred-
22 ited to his account with an amount equal to eight and one-half ($8\frac{1}{2}$) per cent
23 of his annual salary as it shall be on the first day in the month of January
24 of the first year after the year in which this Act shall come in force and effect
25 in such city, for a period of time equal to that of such service rendered before
26 the first day in the month of January of the first year after the year in which
27 this Act shall come in force and effect in such city, with interest thereon at
28 the rate of four (4) per cent per annum to the first day in the month of Janu-
29 ary of the first year after the year in which this Act shall come in force and
30 effect in such city, upon the assumption that one-twelfth ($1/12$) of such eight
31 and one-half ($8\frac{1}{2}$) per cent of such annual salary was due at the end of each
32 month of such service.

33 (c) Each amount to the credit of any present employee for Prior Service
34 Annuity purposes under the foregoing provisions of this section shall be im-
35 proved to the credit of such present employee by interest at the rate of four
36 (4) per cent per annum during the time thereafter that such present employee

37 shall be in the service until the amount of annuity to which such present em-
38 ployee shall have a right shall be fixed as stated in section 27 of this Act.

Sec. 20. Annuity to be known as "Widow's Annuity," shall be provided
2 for Widows of future entrants and of present employees. Any such annuity
3 shall be a life annuity, and equal payments thereof shall be made monthly
4 throughout the life of the annuitant from and after the date when the event
5 upon which payment of such annuity shall depend shall occur. The first such
6 payment shall not become due and payable until one month from and after
7 such date.

Sec. 21. To provide Widow's Annuities for widows of future entrants,
2 contributions to the Annuity and Benefit Fund herein provided for shall be
3 made by each male future entrant and by such city as follows:

4 From and after the first day in the month of January of the first year after
5 the year in which this Act shall come in force and effect in such city, one (1)
6 per cent of each payment of the salary of each male future entrant less than
7 fifty-seven (57) years of age shall be deducted and contributed to the Annuity
8 and Benefit Fund herein provided for. Such deductions shall be made at the
9 same time such payments of salary are payable and shall be continued during
10 the service of such future entrant until he shall attain an age of fifty-seven (57)
11 years.

12 Concurrently with each such deduction from the salary of any male future
13 entrant, the city shall contribute a sum equal to two (2) per cent of each pay-
14 ment of the salary of such future entrant. In case it shall not be possible or
15 practicable for the city to make any such contribution at the same time any such
16 deduction shall be made, the city shall make such contribution as soon as pos-
17 sible and practicable thereafter with interest thereon at the rate of four (4)
18 per cent per annum to the time it shall be made, so that each such contribution
19 when made shall equal exactly twice the value of each such corresponding de-
20 duction as such value shall be at the time such contribution shall be made.

21 Each such deduction from salary and corresponding contribution by the
22 city shall be allocated to the account of and credited to the future entrant for
23 whose benefit it is made, for Widow's Annuity purposes. Each amount so
24 credited shall be improved to the credit of such future entrant by interest at the
25 rate of four (4) per cent per annum during all time thereafter that such future
26 entrant shall be in the service, until he shall attain an age of fifty-seven (57)
27 years. Any interest or other accretion upon the accumulated sum to the credit
28 of any male future entrant at the time he shall have attained an age of fifty-
29 seven (57) years, which shall accrue thereafter, shall not be credited to such
30 male future entrant for the purpose of increasing the amount of annuity for the
31 widow of such future entrant.

Sec. 22. To provide Widow's Annuities for widows of present employees,
2 contributions to the Annuity and Benefit Fund herein provided for shall be
3 made by each male present employee and by such city as follows:

4 From and after the first day in the month of January of the first year
5 after the year in which this Act shall come in force and effect in such city, one
6 (1) per cent of each payment of the salary of each male present employee less
7 than fifty-seven (57) years of age shall be deducted and contributed to the
8 Annuity and Benefit Fund herein provided for. Such deductions shall be made
9 at the times such payments of salary are payable and shall be continued during
10 the service of each such present employee until he shall have attained an age
11 of fifty-seven (57) years.

12 Concurrently with each such deduction from the salary of a male present
13 employee the city shall contribute a sum equal to two (2) per cent of each such
14 payment of the salary of such present employee. In case it shall not be pos-
15 sible or practicable for the city to make any such contribution at the same time
16 any such deduction shall be made, the city shall make such contribution as soon
17 as possible and practicable thereafter, with interest thereon at the rate of four
18 (4) per cent per annum to the time it shall be made, so that each such con-

19 tribution when made shall equal exactly twice the value of each such corre-
 20 sponding deduction as such value shall be at the time such contribution shall be
 21 made.

22 Each such deduction from salary and corresponding contribution by the
 23 city shall be allocated to the account of and credited to the present employee
 24 for whose benefit it is made, for Widow's Annuity purposes. Each amount
 25 so credited shall be improved to the credit of such present employee by in-
 26 terest at the rate of four (4) per cent per annum during all times thereafter,
 27 that such present employee shall be in the service until he shall have attained
 28 an age of fifty-seven (57) years. Any interest or other accretion upon the
 29 accumulated sum to the credit of any male present employee at the time he
 30 shall have attained an age of fifty-seven (57) years, which shall accrue
 31 thereafter, shall not be credited to such male present employee for the purpose
 32 of increasing the amount of annuity for the widow of such present employee.

Sec. 23. Annuity, to be known as "Widow's Prior Service Annuity" shall
 2 be provided for the widow of each male present employee, in addition to
 3 Widow's Annuity. Any such annuity shall be a life annuity, and equal pay-
 4 ments thereof shall be made monthly throughout the life of the annuitant from
 5 and after the date when the event upon which payment of such annuity shall
 6 depend shall occur. The first such payment shall not become due and payable
 7 until one month from and after such date.

Sec. 24. Widow's Prior Service Annuity shall be provided for the widows
 2 of male present employees from amounts to be ascertained by the Retirement
 3 Board and credited to such present employees as follows:

4 (a) Each married male present employee who shall have attained an age
 5 of fifty-seven (57) or more years prior to the first day in the month of January of
 6 the first year after the year in which this Act shall come in force and effect in such
 7 city, shall be credited in his account for Widow's Prior Service Annuity purposes
 8 with an amount equal to three (3) per cent of his annual salary, as such salary

9 shall be on such first day in the month of January of such year, for a period of
10 time equal to the term of service rendered by such present employee before
11 such present employee attained an age of fifty-seven (57) years, with interest
12 thereon at the rate of four (4) per cent per annum to the time he shall have
13 attained an age of fifty-seven (57) years, upon the assumption that one-twelfth
14 (1/12) of such three (3) per cent of annual salary was due at the end of each
15 month of such term of service.

16 (b) Each male present employee who shall not have attained an age of
17 fifty-seven (57) years before the first day in the month of January of the first
18 year after the year in which this Act shall come in force and effect in such
19 city, shall be credited in his account for Widow's Prior Service Annuity pur-
20 poses with an amount equal to three (3) per cent of his annual salary, as such
21 salary shall be on the first day in the month of January of such year, for a
22 period of time equal to the term of service rendered by such present employee
23 before such first day in the month of January of such year, with interest there-
24 on at the rate of four (4) per cent per annum to such first day of the month of
25 January of such year, upon the assumption that one-twelfth (1/12) of such three
26 (3) per cent of annual salary was due at the end of each month of such ser-
27 vice rendered prior to the first day in the month of January of the first year
28 after the year in which this Act shall come in force and effect in such city.
29 Such amount, so credited, shall be improved to the credit of such present em-
30 ployee by interest at the rate of four (4) per cent per annum during the sub-
31 sequent service of such present employee until he shall attain an age of fifty-
32 seven (57) years.

Sec. 25. For the purpose of providing Prior Service Annuities, Widow's
2 Prior Service Annuities, and the annuities, pensions and benefits described in
3 section 51 of this Act, such city shall make contributions as provided in said
4 section 51.

Sec. 26. (a) When any future entrant shall attain an age of fifty-seven (57) years while in the service, the amount of Age and Service Annuity to which such future entrant shall have a right at any time thereafter when he shall resign or be discharged from the service, and the amount of Widow's Annuity to which his wife shall have a right from and after the date of his death shall be fixed as of their respective ages at that time; provided, in case the wife of any such future entrant shall be older than five (5) years the junior of her husband, her age for annuity purposes shall be assumed to be five (5) years less than his.

(b) No deduction from salary or contribution by the city for any annuity purposes for or on account of any such future entrant shall be made after the time when the amounts of the annuities to which such future entrant, and the wife of such future entrant shall have a right shall have been fixed, and no amount of annuity in excess of that fixed in accordance with the provisions of this section shall be granted to any such future entrant or the widow of such future entrant, and no service of such future entrant rendered after such time shall be considered for annuity purposes.

When any future entrant who shall have attained an age of fifty (50) or more but less than fifty-seven (57) years while in the service and who shall have served ten (10) or more years shall resign or be discharged from the service, the amount of Age and Service Annuity to which he shall have a right from and after the date of such resignation or discharge and the amount of Widow's Annuity to which his wife shall have a right from and after the date of his death shall be fixed, as of their respective ages, at that time; provided, that if such wife shall be older than five (5) years the junior of such future entrant, her age for annuity purposes shall be assumed to be five (5) years less than his.

(d) When any future entrant who shall have resigned or been discharged from the service after such future entrant shall have been in the service for a period of ten (10) or more years and before he shall have attained an age of

31 fifty (50) years shall attain an age of fifty (50) years while not in the service,
32 the amount of Age and Service Annuity to which he shall have a right from
33 and after the time when he shall have attained such age of fifty (50) years and
34 shall have applied for annuity, and the amount of Widow's Annuity to which
35 his wife shall have a right from and after the date of his death shall be fixed
36 as of their respective ages at that time; provided, that if any such wife shall
37 be older than five (5) years the junior of her husband, her age for annuity pur-
38 poses shall be assumed to be forty-five (45) years.

39 (e) No amount of annuity other than that fixed in accordance with the
40 provisions of this section shall be granted to any future entrant described in
41 paragraphs (c) and (d) of this section, or to the widow of such future entrant.
42 unless such future entrant shall reenter the service before he shall attain an age
43 of fifty-seven years, in which case the amounts of annuities to which such future
44 entrant and his wife shall have a right shall again be fixed when such future
45 entrant shall attain an age of fifty-seven (57) years, or at any time before such
46 time when he shall again resign or be discharged from the service.

Sec. 27. (a) If any present employee shall have to his credit on the first
2 day in the month of January of the first year after the year in which this Act
3 shall come in force and effect in such city, for Prior Service Annuity purposes,
4 an amount at least sufficient to provide annuity for such present employee as
5 of his age on such first day in the month of January of such year, equal in
6 amount to that to which such present employee would have had a right if de-
7 ductions from his salary and contributions by such city had been made in ac-
8 cordance with the provisions of Section 17 of this Act during the entire period
9 of the service of such present employee until his attainment of an age of fifty-
0 seven (57) years, the amount of Prior Service Annuity to which such present
1 employee shall have a right from and after the date when he shall resign or be
2 discharged from the service shall be fixed on the first day in the month of
3 January of the year after the year in which this Act shall come in force and

14 effect in such city as of his age at such time, and any such present employee
15 shall not have any right to receive any Age and Service Annuity.

16 (b) When any present employee who shall have attained an age of fifty-
17 seven (57) or more years while in the service shall have to his credit for Age
18 and Service Annuity and Prior Service Annuity purposes an amount sufficient
19 to provide annuity for such present employee as of his age at such time equal in
20 amount to that to which such present employee would have had a right if de-
21 ductions from his salary and contributions by the city had been made in accord-
22 ance with the provisions of Section 17 of this Act during the entire period of
23 the service of such present employee until his attainment of an age of fifty-
24 seven (57) years, the amount of Age and Service Annuity and the amount of
25 Prior Service Annuity to which such present employee shall have a right at
26 any time thereafter when he shall resign or be discharged from the service shall
27 be fixed as of his age at such time.

28 (c) When any present employee who shall have attained an age of fifty-
29 seven (57) or more years while in the service and who shall not have to his
30 credit for Age and Service Annuity and Prior Service Annuity purposes the
31 amount described in paragraph (b) of this section shall resign or be discharged
32 from the service, the amount of Age and Service Annuity and the amount of
33 Prior Service Annuity to which such present employee shall have a right from
34 and after the date of such resignation or discharge shall be fixed as of his age
35 at the time of such resignation or discharge.

36 (d) The amount of annuity to which the wife of any present employee who
37 shall have attained the age of fifty-seven (57) or more years on or before the
38 first day in the month of January of the first year after the year in which this
39 Act shall come in force and effect in such city, shall have a right, from and after
40 the date of the death of such present employee, shall be fixed on the first day in
41 the month of January of the first year after the year in which this Act shall
42 come in force and effect in such city, as of the age of such wife at the time
43 such present employee became fifty-seven (57) years of age; provided that if

44 any such wife shall be older than five (5) years the junior of her husband, her
45 age for annuity purposes shall be assumed to be five (5) years less than his.

46 (e) The amount of annuity to which the wife of any present employee
47 who shall attain an age of fifty-seven (57) years while in the service subsequent
48 to the first day in the month of January of the first year after the year in which
49 this Act shall come in force and effect in such city, shall have a right, from and
50 after the date of the death of such present employee, shall be fixed when such
51 present employee shall attain such age of fifty-seven (57) years. Any such
52 annuity shall be computed as of the age of such wife on the date when such pres-
53 ent employee shall become fifty-seven (57) years of age; provided, that if any
54 such wife shall be older than five (5) years the junior of her husband, her age
55 for annuity purposes shall be assumed to be five (5) years less than his.

56 (f) When any present employee who shall have attained an age of fifty
57 (50) or more but less than fifty-seven (57) years while in the service and who
58 shall have served ten (10) or more years shall resign or be discharged from
59 the service, the amount of Age and Service Annuity and the amount of Prior
60 Service Annuity to which any such present employee shall have a right from
61 and after the date of such resignation or discharge from the service, and the
62 amount of Widow's Annuity and of Widow's Prior Service Annuity to which
63 the wife of such present employee shall have a right from and after the date
64 of his death shall be fixed as of their respective ages at the time of such resig-
65 nation or discharge; provided, that if the wife of any such present employee
66 shall be older than five (5) years the junior of her husband her age for annuity
67 shall be assumed to be five (5) years less than his.

68 (g) When any present employee who shall resign or be discharged from
69 the service after such present employee shall have served for a period of ten
70 (10) or more years, but before he shall have attained an age of fifty (50) years
71 shall attain such age of fifty (50) years while out of the service, the amount of
72 Age and Service Annuity and the amount of Prior Service Annuity to which
73 he shall have a right from and after the time when he shall have attained such

74 age of fifty (50) years and shall have applied for annuity, and the amount of
 75 Widow's Annuity and Widow's Prior Service Annuity to which his wife shall
 76 have a right from and after the date of his death, shall be fixed as of the respect-
 77 ive ages of such present employee and his wife at the time such present employee
 78 shall become fifty (50) years of age; provided, that if any such wife shall be older
 79 than five (5) years the junior of her husband, her age for annuity purposes shall
 80 be assumed to be forty-five (45) years.

81 (h) No amount of annuity in excess of that fixed in accordance with the
 82 provisions of this section shall be granted to any present employee described
 83 in paragraphs (f) and (g) of this section, or to the widow of any such present
 84 employee, unless such present employee shall re-enter the service before he shall
 85 have attained an age of fifty-seven (57) years, in which case the amount of an-
 86 nuity to which such present employee shall have a right shall be fixed when he
 87 shall have to his credit for Age and Service Annuity and Prior Service Annuity
 88 purposes the amount described in paragraph (b) of this section, or when he
 89 shall again resign or be discharged from the service, whichever event shall first
 90 occur, as of his age at the time the amount of such annuity shall be fixed, and
 91 the amount of annuity to which the wife of any such present employee shall have
 92 a right shall be fixed when he shall have attained an age of fifty-seven (57)
 93 years while in the service, or when he shall again resign or be discharged from
 94 the service, whichever event shall first occur, as of her age at the time such
 95 annuity shall be fixed, provided, that if any such wife shall be older than five
 96 (5) years the junior of her husband, her age for annuity purposes shall be
 97 assumed to be five (5) years less than his.

Sec. 28. Any annuity fixed for or granted to any future entrant or present
 2 employee who shall resign or be discharged from the service after he shall have
 3 attained an age of fifty (50) years, or the widow of any such future entrant or
 4 present employee, or the widow of any future entrant or present employee who
 5 shall die while in the service, shall be computed according to the American

6 Experience Table of Mortality and interest at the rate of four (4) per cent per
7 annum.

8 All sums to the credit of any future entrant or present employee for annu-
9 ity purposes at the time he shall resign or be discharged from the service before
10 he shall have attained an age of fifty (50) years shall be improved to the credit
11 of such future entrant or present employee by interest at the rate of three and
12 one-half ($3\frac{1}{2}$) per cent per annum thereafter, while such future entrant or
13 present employee shall be out of the service and shall not have entered upon
14 annuity, until he shall attain an age of fifty-seven (57) years. Any annuity
15 fixed for or granted to any such future entrant or present employee who shall
16 not have re-entered the service prior to the time such annuity shall be fixed or
17 granted, or any annuity fixed for or granted to the widow of any such future
18 entrant or present employee who shall die, shall be computed according to the
19 American Experience Table of Mortality, and interest at the rate of three and
20 one-half ($3\frac{1}{2}$) per cent per annum.

Sec. 29. (a) Any future entrant who shall resign or be discharged from
2 the service after he shall attain an age of fifty-seven (57) or more years while
3 in the service shall have a right to receive annuity, from and after the date of
4 such resignation or discharge, of such amount as can be provided from the
5 entire sum accumulated to his credit for Age and Service Annuity purposes
6 on the date when he shall have become fifty-seven (57) years of age.

7 (b) 1. Any future entrant who shall resign or be discharged from the
8 service after he shall have served ten (10) or more years and who at the time
9 of such resignation or discharge shall be fifty (50) or more but less than fifty-
10 seven (57) years of age shall have a right to receive annuity, from and after the
11 date of such resignation or discharge, of such amount as can be provided from
12 the total amount of the following sums to the credit of such future entrant on
13 the date of such resignation or discharge.

14 2. In the case of any such future entrant who shall have served twenty
15 (20) or more years, the entire sum accumulated for Age and Service Annuity
16 purposes from deductions from his salary and contributions by the city.

17 3. In the case of any such future entrant who shall have served ten (10)
18 or more but less than twenty (20) years, the sum accumulated for Age and Serv-
19 ice Annuity purposes from deductions from his salary, and the sum obtained by
20 applying one-tenth ($1/10$) of the sum accumulated for such annuity purposes
21 from contributions by the city, for each year of service rendered by him after the
22 first ten (10) years of his service.

23 4. Any such annuity shall be computed as of the age of the future entrant
24 concerned on the date of his resignation or discharge from the service.

25 (c) 1. Any future entrant who shall resign or be discharged from the
26 service after he shall have served ten (10) or more years and who at the time
27 of such resignation or discharge shall be less than fifty (50) years of age shall
28 have a right to receive annuity, from and after the date when he shall attain an
29 age of fifty (50) or more years while out of the service and shall apply for such
30 annuity: *Provided*, that prior to his attainment of an age of fifty (50) years,
31 such future entrant shall not have withdrawn nor applied for refund of the sum
32 accumulated to his credit from deductions from his salary for Age and Service
33 annuity purposes and Widow's Annuity purposes. Any such annuity shall be
34 of such amount as can be provided from the total amount of the following sums
35 to the credit of the future entrant concerned, on the date when he shall have
36 become fifty (50) years of age.

36½ 2. In the case of any such future entrant who shall have served twenty
37 (20) or more years, the entire sum accumulated for Age and Service Annuity
38 purposes.

39 3. In the case of any such future entrant who shall have served ten (10) or
40 more but less than twenty (20) years, the sum accumulated for Age and Service
41 Annuity purposes from deductions from his salary, and the sum obtained by
42 applying one-tenth ($1/10$) of the sum accumulated for such annuity purposes
43 from contributions by the city, for each year of service rendered by him after
44 the first ten (10) years of his service.

45 4. Any such annuity shall be computed as though such future entrant were
46 exactly fifty (50) years of age at the time such annuity shall be granted regard-
47 less of his real age at the time application for such annuity shall be made, and
48 no such future entrant shall have any right to any annuity for or on account of
49 any time which may intervene between the time when he shall attain an age of
50 fifty (50) years and the time when he shall make application for annuity.

Sec. 30 (a) The widow of any future entrant who shall resign or be dis-
2 charged from the service after he shall have attained an age of fifty-seven (57)
3 or more years and who shall enter upon annuity shall have a right to receive an-
4 nuity, from and after the date of the death of such future entrant, according to
5 the provisions of Section 26 of this Act, concerning age, of such amount as can
6 be provided from the entire sum accumulated to the credit of such future en-
7 trant for Widow's Annuity purposes at the time he shall have attained an age of
8 fifty-seven (57) years.

9 (b) The widow of any future entrant who shall die while in the service
10 after he shall have attained an age of fifty-seven (57) or more years, shall have
11 a right to receive annuity, from and after the date of the death of such future
12 entrant, according to the provisions of Section 26 of this Act concerning age, of
13 such amount as can be provided from the entire sum accumulated to the credit
14 of such future entrant for Widow's Annuity purposes on the date such future
15 entrant attained an age of fifty-seven (57) years.

16 (c) The widow of any future entrant who shall die while in the service be-
17 fore he shall have attained an age of fifty-seven (57) years shall have a right to
18 receive annuity, from and after the date of the death of such future entrant, of
19 such amount as can be provided from the total amount of the sums accumulated
20 to the credit of such future entrant on the date of his death for Age and Service
21 Annuity and Widow's Annuity purposes from deductions from his salary and
22 from contributions by the city; provided, that no part of the sums accumulated
23 from contributions by the city shall be used to provide annuity for such widow
24 which shall exceed in amount that which such widow would have had a right to

25 receive if her husband had lived and continued in the service upon salary at the
 26 rate of his final salary until he would have become fifty-seven (57) years of
 27 age, and an amount of Widow's Annuity were then fixed for such widow as of
 28 her age as it would be at such time, in accord with the provisions of Section 26
 29 of this Act concerning the age of a wife. Any such annuity shall be computed
 30 as of the age of such widow on the date of the death of such future entrant; pro-
 31 vided, that if she shall be older than five (5) years his junior, her age for annuity
 32 purposes shall be assumed to be five (5) years less than his.

33 (d) 1. The widow of any future entrant who shall resign or be discharged
 34 from the service after he shall have attained an age of fifty (50) or more but less
 35 than fifty-seven (57) years and after he shall have served ten (10) or more
 36 years and who shall enter upon annuity and who shall die while upon such
 37 annuity shall have a right to receive annuity, from and after the date of the death
 38 of such future entrant, in accordance with the provisions of Section 26 of this
 39 Act concerning age, of such amount as can be provided from the total amount
 40 of the following sums to the credit of such future entrant on the date when the
 41 amounts of such annuity shall have been fixed as provided in said Section 26.

42 2. In the case of a widow of any such future entrant who shall have
 43 served twenty (20) or more years, the entire sum accumulated for Widow's An-
 44 nuity purposes.

45 3. In the case of a widow of any such future entrant who shall have served ten
 46 (10) or more but less than twenty (20) years, the sum accumulated for Widow's
 47 Annuity purposes from deductions from his salary and the sum obtained by ap-
 48 plying one-tenth (1/10) of the sum accumulated for such annuity purposes from
 49 contributions by the city, for each year of service rendered by such future en-
 50 trant after the first ten (10) years of his service.

51 (e) 1. The widow of any future entrant who shall resign or be discharged
 52 from the service after he shall have served ten (10) or more years and before
 53 he shall have attained an age of fifty (50) years and who shall not have with-
 54 drawn nor applied for refund of the sum accumulated to his credit from deduc-

tions from his salary for Age and Service Annuity and Widow's Annuity purposes and who shall die while out of the service after he shall have attained an age of fifty (50) or more years shall have a right to receive annuity, from and after the date of the death of such future entrant, in accordance with the provisions of Section 26 of this Act concerning the age of a wife, of such amount as can be provided from the total amount of the following sums to the credit of such future entrant on the date when the amount of such annuity shall have been fixed as provided in said Section 26.

2. In the case of a widow of any such future entrant who shall have served twenty (20) or more years, the entire sum accumulated for Widow's Annuity purposes.

3. In the case of a widow of any such future entrant who shall have served ten (10) or more but less than twenty (20) years, the sum accumulated for Widow's Annuity purposes from deductions from his salary, and the sum obtained by applying one-tenth ($1/10$) of the sum accumulated for such annuity purposes from contributions by the city, for each year of service rendered by such future entrant after the first ten (10) years of his service

(f) 1. The widow of any future entrant who shall resign or be discharged from the service after he shall have served ten (10) or more years and before he shall have attained an age of fifty (50) years and who shall not have withdrawn nor applied for refund of the sum accumulated to his credit from deductions from his salary for Age and Service Annuity and Widow's Annuity purposes and who shall die, while not in the service, before he shall have attained an age of fifty (50) years shall have a right to receive annuity from and after the date of the death of such future entrant, of such amount as can be provided from the total amount of the following sums to the credit of such future entrant on the date of his death; provided, that no part of any such sum accumulated from contributions by the city shall be used to provide an annuity for any such widow which shall exceed in amount that which such widow would have had a right to receive if her husband had lived until he attained an age of fifty (50) years and

85 had not re-entered the service, and an amount of Widow's Annuity were then
 86 fixed for such widow as of her age as it would be, in accordance with the pro-
 87 visions of Section 26 of this Act concerning the age of a wife, when her husband
 88 would have attained such age of fifty (50) years.

89 2. In the case of a widow of any such future entrant who shall have
 90 served twenty (20) or more years, the entire sum accumulated for both Age and
 91 Service Annuity and Widow's Annuity purposes.

92 3. In the case of a widow of any such future entrant who shall have served
 93 ten (10) or more but less than twenty (20) years, the sum accumulated for both
 94 Age and Service Annuity and Widow's Annuity purposes from deductions from
 95 his salary, and the sum obtained by applying one-tenth ($1/10$) of the sums ac-
 96 cumulated for both such annuity purposes from contributions by the city, for
 97 each year of service rendered by such future entrant after the first ten (10)
 98 years of his service.

99 4. Any such annuity shall be computed as of the age of such widow at the
 100 time of the death of such future entrant; provided, that if she shall be older
 101 than five (5) years his junior, her age for annuity purposes shall be assumed to
 102 be five (5) years less than his.

Sec. 31. (a) Any present employee, whose annuity shall have been fixed,
 2 in accordance with the provisions of paragraph (a) of Section 27 of this Act
 3 on the first day in the month of January of the first year after the year in which
 4 this Act shall come in force and effect in such city, who shall resign or be dis-
 5 charged from the service shall have a right to receive annuity, from and after
 6 the date of such resignation or discharge, of such amount as can be provided
 7 from the sum to his credit for Prior Service Annuity purposes on the first day
 8 in the month of January of the first year after the year in which this Act shall
 9 come in force and effect in such city.

10 (b) Any present employee who shall resign or be discharged from the
 11 service after he shall have attained an age of fifty-seven (57) or more years
 12 while in the service and after the amounts of Age and Service Annuity and of

13 Prior Service Annuity for such present employee shall have been fixed in ac-
14 cordance with the provisions of Section 27 of this Act, shall have a right to re-
15 ceive annuity, from and after the date of such resignation or discharge, of such
16 amount as can be provided from the total amount of the following sums to his
17 credit on the date when the amount of such annuity was fixed; the entire sum
18 accumulated for Age and Service Annuity purposes, and the entire sum credited
19 for Prior Service Annuity purposes.

20 (c) Any present employee who shall resign or be discharged from the
21 service after he shall have attained an age of fifty-seven (57) or more years
22 while in the service and before the amounts of Age and Service Annuity and of
23 Prior Service Annuity for such present employee shall have been fixed shall
24 have a right to receive annuity, from and after the date of such resignation or
25 discharge, of such amount as can be provided from the total amount of the fol-
26 lowing sums to his credit on the date of such resignation or discharge; the entire
27 sum accumulated for Age and Service Annuity purposes, and the entire sum
28 credited for Prior Service Annuity purposes.

29 (d) 1. Any present employee who shall resign or be discharged from the
30 service after he shall have served ten (10) or more years and who at the time
31 of such resignation or discharge shall be fifty (50) or more but less than fifty-
32 seven (57) years of age shall have a right to receive annuity, from and after the
33 date of such resignation or discharge, of such amount as can be provided from
34 the total amount of the following sums to the credit of such present employee on
35 the date of such resignation or discharge.

36 2. In the case of any such present employee who shall have served twenty
37 (20) or more years, the entire sum accumulated for Age and Service Annuity
38 purposes and the entire sum credited for Prior Service Annuity purposes.

39 3. In the case of any such present employee who shall have served ten (10)
40 or more but less than twenty (20) years, the sum accumulated for Age and
41 Service Annuity purposes from deductions from his salary, and the sum obtained
42 by applying one-tenth ($1/10$) of the sum accumulated for such annuity purposes

43 from contributions by the city, for each year of service rendered by him after the
44 first ten (10) years of his service, and the sum credited for Prior Service Annu-
45 ity purposes on account of amounts deducted from his salary or otherwise paid
46 by him and applied to any Police Pension Fund in operation, by authority of
47 law, in such city at the time this Act shall come in force and effect in such city,
48 and the sum obtained by applying one-tenth (1/10) of the sum credits for Prior
49 Service Annuity purposes, in accordance with the provisions of paragraph (b)
50 of Section 19 of this Act, for each year of service rendered by him after the first
51 ten (10) years of his service.

52 (e) 1. Any present employee who shall resign or be discharged from the
53 service after he shall have served ten (10) or more years and who at the time of
54 such resignation or discharge shall be less than fifty (50) years of age shall
55 have a right to receive annuity, from and after the date when he shall attain an
56 age of fifty (50) or more years while out of service and shall apply for such
57 annuity: *Provided*, such present employee shall not have withdrawn nor applied
58 for refund of that part of the sum to his credit from deductions from his salary
59 for Age and Service Annuity and Widow's Annuity purposes to which he shall
60 have a right of refund prior to his attainment of an age of fifty (50) years. Any
61 such annuity shall be of such amount as can be provided from the total amount
62 of the following sums to the credit of such present employee on the date when he
63 shall have become fifty (50) years of age.

64 2. In the case of any such present employee who shall have served twenty
65 (20) or more years, the entire sum accumulated for Age and Service Annuity
66 purposes, and the entire sum credited for Prior Service Annuity purposes.

67 3. In the case of any such present employee who shall have served ten (10)
68 or more but less than twenty (20) years, the sum accumulated for Age and
69 Service Annuity purposes from deductions from his salary, and the sum obtained
70 by applying one-tenth (1/10) of the sum accumulated for such annuity purposes
71 from contributions by the city, for each year of service rendered by him after
72 the first ten (10) years of his service, and the sum credited for Prior Service

73 Annuity purposes on account of amounts deducted from his salary or otherwise
74 paid by him and applied to any Police Pension Fund in operation, by authority
75 of law, in such city at the time this Act shall come in force and effect in such
76 city, and the sum obtained by applying one-tenth (1/10) of the sum credited for
77 Prior Service Annuity purposes in accordance with the provisions of paragraph
78 (b) of Section 19 of this Act, for each year of service rendered by him after
79 the first ten (10) years of his service.

80 4. Any such annuity shall be computed as though such present employee
81 were exactly fifty (50) years of age at the time such annuity shall be granted, re-
82 gardless of his real age at the time application for such annuity shall be made,
83 and no such present employee shall have any right to any annuity for or on
84 account of any time which may intervene between the time when he shall attain
85 an age of fifty (50) years and the time when he shall make application for such
86 annuity.

Sec. 32. (a) The widow of any present employee, the amount of whose
2 annuity shall be fixed as provided in Section 27 of this Act, on the first day in
3 the month of January of the first year after the year in which this Act shall
4 come in force and effect in such city, shall have a right to receive annuity,
5 from and after the date of the death of such present employee, according to
6 the provisions of said Section 27 concerning age, of such amount as can be pro-
7 vided from the sum to the credit of such present employee for Widow's Prior
8 Service Annuity purposes on the first day in the month of January of the first
9 year after the year in which this Act shall come in force and effect in such city.

10 (b) The widow of any present employee who shall resign or be discharged
11 from the service after he shall have become fifty-seven (57) or more years of
12 age and who shall enter upon annuity shall have a right to receive annuity,
13 from and after the date of the death of such present employee, according to the
14 provisions of Section 27 of this Act concerning age, of such amount as can be
15 provided from the total amount of the sums to the benefit of such present em-
16 ployee for Widow's Annuity and Widow's Prior Service Annuity purposes at

17 the time such present employee shall have become fifty-seven (57) years of
18 age.

19 (c) The widow of any present employee who shall die while in the service
20 after he shall have attained an age of fifty-seven (57) years shall have a right
21 to receive annuity, from and after the date of death of such present employee
22 according to the provisions of Section 27 of this Act concerning age, of such
23 amount as can be provided from the total amount of the sums to the credit of
24 such present employee for Widow's Annuity and Widows' Prior Service An-
25 nuity purposes at the time such present employee shall have attained an age of
26 fifty-seven (57) years.

27 (d) The widow of any present employee who shall die while in the service
28 before he shall have become fifty-seven (57) years of age shall have a right to
29 receive annuity, from and after the date of the death of such present employee,
30 of such amount as can be provided from the total amount of the several sums
31 to the credit of such present employee on the date of his death for Age and
32 Service Annuity, Widow's Annuity, Prior Service Annuity, and Widow's Prior
33 Service Annuity purposes; but no part of such sums credited to such present
34 employee which represent money contributed or to be contributed by such city
35 shall be used to provide annuity for such widow in excess of that which she
36 would have had a right to receive if such present employee had lived and re-
37 mained in the service upon salary at the rate of his final salary until he became
38 fifty-seven (57) years of age, and the amount of annuity for his wife were then
39 fixed as provided in Section 27 of this Act. Any such annuity shall be computed
40 as of the age of such widow on the date of the death of such present employee;
41 provided, that if she shall be older than five (5) years his junior, her age for
42 annuity purposes shall be assumed to be five (5) years less than his.

43 (e) 1. The widow of any present employee who shall resign or be dis-
44 charged from the service, after he shall have attained an age of fifty (50) or
45 more, but less than fifty-seven (57) years and after he shall have served ten
46 (10) years and who shall enter upon annuity and who shall die while upon such

47 annuity shall have a right to receive annuity, from and after the date of the
48 death of such present employee, in accordance with the provisions of Section
49 27 of this Act concerning age, of such amount as can be provided from the total
50 amount of the following sums to the credit of such present employee on the date
51 when the amount of such annuity shall have been fixed as provided in said
52 Section 27.

53 2. In the case of a widow of any such present employee who shall have
54 served twenty (20) or more years, the entire sum credited for Widow's An-
55 nuity and Widow's Prior Service Annuity purposes.

56 3. In the case of a widow of any such present employee who shall have
57 served ten (10) or more but less than twenty (20) years, the entire sum cred-
58 ited for Widow's Annuity purposes on account of deductions from his salary,
59 and the sum obtained by applying one-tenth (1-10) of the entire sum credited
60 for Widow's Annuity and Widow's Prior Service Annuity purposes on account
61 of contributions made or to be made by the city, for each year of service ren-
62 dered by such present employee after the first ten (10) years of his service.

63 (g) 1. The widow of any present employee who shall have served ten
64 (10) or more years and who shall resign or be discharged from the service be-
65 fore he shall have become fifty (50) years of age and who shall not have with-
66 drawn nor applied for refund of the sums to his credit from deductions
67 from his salary for annuity purposes to which he shall have had a right of
68 refund and who shall die while out of the service after he shall have become
69 fifty (50) or more years of age, shall have a right to receive annuity, from and
70 after the date of the death of such present employee, in accordance with the
71 provisions of Section 27 of this Act concerning the age of a wife, of such amount
72 as can be provided from the total amount of the following sums to the credit
73 of such present employee on the date when the amount of such annuity shall
74 have been fixed as provided in said Section 27.

75 2. In the case of a widow of any such present employee who shall have
76 served twenty (20) or more years, the entire sum credited for Widow's Annuity
77 and Widow's Prior Service Annuity purposes.

78 3. In the case of a widow of any such present employee who shall have
79 served ten (10) or more but less than twenty (20) years, the entire sum cred-
80 ited for Widow's Annuity purposes on account of deductions from the salary
81 of such present employee and the sum obtained by applying one-tenth (1-10)
82 of the entire sum credited for Widow's Annuity and Widow's Prior Service
83 Annuity purposes which represents contributions made or to be made by the
84 city.

85 (h) 1. The widow of any present employee who shall have served ten
86 (10) or more years and who shall resign or be discharged from the service be-
87 fore he shall have become fifty (50) years of age and who shall not have with-
88 drawn nor applied for refund of the sums to his credit for annuity purposes
89 from deductions from his salary to which he shall have had a right of refund,
90 and who shall die while out of the service before he shall become fifty (50) years
91 of age shall have a right to receive annuity, from and after the date of the death
92 of such present employee, of such amount as can be provided from the total
93 amount of the following sums to the credit of such present employee on the
94 date of his death; provided, that no part of any such sum which represents
95 money contributed or to be contributed by the city shall be used to provide
96 annuity for such widow in excess of that which she would have had a right to
97 receive if such present employee had lived until he attained an age of fifty
98 (50) years and had not re-entered the service and an amount of annuity were
99 then fixed for such widow in accordance with the provisions of Section 27 of
100 this Act concerning the age of a wife, as of her age as it would be when her
101 husband would have attained an age of fifty (50) years.

102 2. In the case of a widow of any such present employee who shall have
103 served twenty (20) or more years, the entire sum credited for Age and Service
104 Annuity, Widow's Annuity, Prior Service Annuity, and Widow's Prior Service
105 Annuity purposes.

106 3. In the case of a widow of any such present employee who shall have
107 served ten (10) or more years but less than twenty (20) years the entire sum

108 credited for Age and Service Annuity, Widow's Annuity, and Prior Service
109 Annuity purposes on account of deductions from his salary, and the sum ob-
110 tained by applying one-tenth (1-10) of the entire sum credited for Age and Ser-
111 vice Annuity, Widow's Annuity, Prior Service Annuity, and Widow's Prior
112 Service Annuity purposes on account of contributions made or to be made by
113 the city, for each year of service rendered by such present employee after the
114 first ten (10) years of his service.

115 4. Any such annuity shall be computed as of the age of such widow at the
116 time of the death of such present employee, provided, that if she shall be older
117 than five (5) years his junior, her age for annuity purposes shall be assumed to
118 be five (5) years less than his.

Sec. 33. In any case in which annuity provided in accordance with the pro-
2 visions of the foregoing sections of this Act for the widow of any policeman
3 whose death shall result from the performance of any act or acts of duty shall
4 not be equal in amount to seventy-five (75) per cent of the salary of such
5 policeman as such salary shall be at the time of the injury of such policeman,
6 "Compensation Annuity" equal in amount to the difference between the
7 amount of annuity provided for such widow in accordance with the provisions
8 of foregoing sections of this Act and an amount equal to seventy-five (75) per
9 cent of the salary, as aforesaid, of such policeman shall be provided for and
10 paid to such widow until the time when such policeman if alive, would have
11 attained an age of fifty-seven (57) years. Thereafter, in the case of any such
12 widow for whom the amount of annuity provided in accordance with the provi-
13 sions of foregoing sections of this Act shall not be equal to the amount of
14 annuity to which such widow would have had a right if such policeman had
15 lived and continued in the service upon salary at the rate of his final salary
16 until he would have attained an age of fifty-seven (57) years, as of her age
17 as it would be on the date when such policeman would have attained such age
18 of fifty-seven (57) years, in accordance with the provisions of section 26 or sec-
19 tion 27 of this Act, whichever such section shall apply to the case of the widow

20 concerned. "Supplemental Annuity" equal in amount to the difference between
 21 the amount of annuity provided for such widow under the provisions of fore-
 22 going sections of this Act and the amount of annuity to which such widow
 23 would have had a right if such policeman had lived and continued in the service
 24 upon salary as stated in this section until he attained an age of fifty-seven
 25 (57) years shall be provided for and paid to such widow. To provide such
 26 Supplemental Annuity the city shall contribute to the Annuity and Benefit
 27 Fund herein provided for such equal sums annually, from and after the date
 28 of the death of such policeman, that when improved by interest at the rate of
 29 four (4) per cent per annum the accumulated amount resulting from such sums
 30 will be sufficient at the time payment of Compensation Annuity to such widow
 31 shall cease to provide Supplemental Annuity, as stated, for such widow
 32 throughout her life thereafter.

Sec. 34. (a) When any policeman who shall resign or be discharged
 2 from the service after the first day in the month of January of the first year
 3 after the year in which this Act shall come in force and effect in such city, shall
 4 re-enter the service before he shall have attained an age of fifty-seven (57)
 5 years, any annuity previously granted to such policeman and any annuity fixed
 6 for the wife of such policeman shall be cancelled. Such policeman shall be
 7 credited in his account for annuity purposes with sums sufficient to provide
 8 annuities equal in amounts to those cancelled for such policeman and the wife,
 9 for whom such annuity shall have been fixed, of such policeman as of their re-
 10 spective ages on the date of such policeman's reentrance into the service; pro-
 11 vided, that the age of any such wife who shall be older than five (5) years the
 12 junior of her husband shall be assumed to be five (5) years less than his. Such
 13 sums shall be credited to such policeman to provide for annuities to be fixed
 14 and granted in the future. Deductions from the salary of any such policeman
 15 and contributions by the city for all purposes of this Act shall be made, as
 16 hereinbefore provided, from the time of such reentrance into the service, and
 17 when the proper time, as provided in foregoing sections of this Act, shall have

18 arrived, new annuities based upon the amount then to the credit of such police-
19 man for annuity purposes and the entire term of such policeman's service shall
20 be fixed for such policeman and for such wife of such policeman.

21 (b) When any such policeman shall reenter the service after he shall have
22 attained an age of fifty-seven (57) or more years, payments on account of any
23 annuity previously granted to such policeman shall be suspended during the
24 time thereafter that he shall be in the service, and when he shall again resign
25 or be discharged therefrom, payments upon the annuity previously granted
26 shall be resumed. If any such policeman shall die while in the service, his
27 widow shall receive the amount of any annuity previously fixed for her.

28 (c) In the case of any policeman described in paragraph (a) of this sec-
29 tion, whose wife, for whom annuity shall have been fixed prior to his re-en-
30 trance into the service, shall have died before he shall have reentered the ser-
31 vice, no part of any sum or sums to the credit of such policeman for Widow's
32 Annuity or for Widow's Prior Service Annuity purposes at the time annuity
33 for such wife shall have been fixed shall be credited to such policeman at the
34 time when he shall reenter the service, and no part of any such sum or sums
35 shall be used to provide annuity for any wife of such policeman who shall be
36 such wife during all or any part of the period of time during which such police-
37 man shall be in the service after he shall have reentered same.

Sec. 35. If any policeman who shall be a pensioner of any Police Pension
2 Fund in operation, by authority of law, in such city at the time this Act shall
3 come in force and effect therein shall reenter the service on or after the first day
4 in the month of January of the first year after the year in which this Act shall
5 come in force and effect in such city, payment of the annuity or pension granted
6 to such policeman from such Police Pension Fund shall be suspended while such
7 policeman shall be in the service and shall be resumed when such policeman shall
8 resign or be discharged from the service.

Sec. 36. A policeman who shall not be in the police service of such city on the thirty-first day in the month of December of the year in which this Act shall come in force and effect in such city, and who was in such police service prior to that date and who shall reenter the service after that date and before attainment of an age of fifty-seven (57) years shall not have any right to be credited with any sum or sums for Prior Service Annuity and Widow's Prior Service Annuity purposes on account of any service rendered prior to the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city, and such policeman shall not have any right to Prior Service Annuity, and the wife or widow of such policeman shall not have any right to Widow's Prior Service Annuity. However, the period of service rendered by any such policeman prior to the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city, shall be included in computing the term of service of such policeman for Age and Service Annuity and Widow's Annuity purposes.

Deductions from the salary of any policeman to whom this section shall apply and contributions by the city for the purpose of providing Age and Service Annuity for such policeman and Widow's Annuity for the wife of such policeman and accumulation of the sums deducted from the salary of such policeman and of the sums contributed by the city for such annuity purposes shall be made as hereinbefore provided concerning future entrants and present employees until such policeman shall attain an age of fifty-seven (57) years.

Any policeman to whom this section shall apply shall have a right to receive Age and Service Annuity, from and after the date of his resignation or discharge from the service, as of his age on such date, of such amount as can be provided from the total sum to his credit for such annuity purposes on such date; provided, however, that in the case of any such policeman who shall be a pensioner of any Police Pension Fund in operation, by authority of law, in such city at the time this Act shall have come in force and effect in such city, no part of the sum to the credit of such policeman for Age and Service Annuity purposes

which shall have resulted from contributions by the city shall be used to provide any amount of such annuity in excess of the difference between the amount of annuity to which such policeman would have had a right if deductions from his salary (which shall be assumed to have been the same throughout the entire period of service rendered by him prior to his re-entrance into the service as it shall be at the time he shall re-enter the service) and contributions by the city for such annuity purposes at the rate stated in Section 17 of this Act, concerning present employees had been made during the entire term of service rendered by such policeman prior to his attainment of an age of fifty-seven (57) years and the amount of the pension granted to such policeman from any such pension fund.

The amount of annuity to which the wife or widow of any policeman to whom this section shall apply shall have a right, from and after the date of the death of such policeman, shall be fixed and granted in accordance with the provisions of this Act relating to annuities for widows of future entrants.

Sec. 37. Notwithstanding any other provisions of this Act concerning the amount of annuity which any policeman or the widow of any policeman shall have a right to receive, no amount of annuity in excess of an amount equal to seventy-five (75) per cent of the highest salary considered for annuity purposes in accordance with the provisions of this Act which shall have been received by the policeman concerned shall be granted or paid to such policeman; and no amount of annuity in excess of an amount equal to seventy-five (75) per cent of the highest salary considered for annuity purposes in accordance with the provisions of this Act which shall have been received by the policeman concerned shall be granted or paid to the widow of any policeman whose death shall result from injury incurred in the performance of any act or acts of duty; and no amount of annuity in excess of an amount equal to sixty (60) per cent of the highest salary considered for annuity purposes in accordance with the provisions of this Act which shall have been received by the policeman concerned shall be granted or paid to the widow of any policeman whose death shall re-

16 sult from any cause other than injury incurred in the performance of an act or
17 acts of duty.

18 If at the time the amount of annuity for any policeman shall be fixed, there
19 shall be to the credit of such policeman, for the purpose of providing such an-
20 nuity, an amount in excess of that necessary to provide an annuity equal to
21 seventy-five (75) per cent of the highest salary (as hereinbefore stated in this
22 section) of such policeman. seven-seventeenth (7/17) of such excess amount
23 shall be refunded and paid at that time to any such policeman who shall be a
24 future entrant, and a part of such excess amount proportionately equal to that
25 part of the entire amount to the credit of such present employee for such an-
26 nuity purposes, which the sum that shall have resulted from deductions from
27 his salary required by this Act bears to such entire amount shall be refunded
28 and paid at that time to any such policeman who shall be a present employee.

29 If at the time the amount of annuity for the wife of any policeman shall be
30 fixed there shall be to the credit of such policeman, for the purpose of providing
31 annuity for such wife when she shall become a widow, an amount in excess of
32 that necessary to provide an annuity equal to sixty (60) per cent of the highest
33 salary (as hereinbefore stated in this section) of such policeman, one third (1/3)
34 of such excess amount shall be refunded and paid at that time to such police-
35 man who shall be a future entrant; and a part of such excess amount propor-
36 tionately equal to that part of the entire amount to the credit of such policeman
37 for such annuity purposes which the sum that shall have resulted from deduc-
38 tions from his salary required by this Act bears to such entire amount shall be
39 refunded and paid at that time to any such policeman who shall be a present
40 employee.

41 If at the time of the death of any policeman whose death shall result from
42 injury incurred in the performance of any act or acts of duty, there shall be to
43 the credit of such policeman for the purpose of providing annuity for the widow
44 of such policeman, an amount in excess of that necessary to provide an annuity
45 equal to seventy-five (75) per cent of the highest salary (as hereinbefore stated

in this section) of such policeman, one-third ($1/3$) of such excess amount shall be refunded and paid at that time to the widow of such policeman who shall have been a future entrant; and a part of such excess amount proportionately equal to that part of the entire amount to the credit of such policeman for such annuity purposes which the sum that shall have resulted from deductions from his salary required by this Act bears to such entire amount shall be refunded and paid at that time to the widow of such policeman who shall have been a present employee.

If at the time of the death of any policeman whose death shall result from any cause other than injury incurred in the performance of any act or acts of duty, there shall be to the credit of such policeman for the purpose of providing annuity for the widow of such policeman, an amount in excess of that necessary to provide an annuity equal to sixty (60) per cent of the highest salary (as hereinbefore stated in this section) of such policeman, one-third ($1/3$) of such excess amount shall be refunded and paid at that time to the widow of such policeman who shall have been a future entrant; and a part of such excess amount proportionately equal to that part of the entire amount to the credit of such policeman for such annuity purposes which the sum that shall have resulted from deductions from his salary required by this Act bears to such entire amount shall be refunded and paid to the widow of such policeman who shall have been a present employee.

Sec. 38. The following described wives or widows of policemen shall not have any right to annuity from the Annuity and Benefit Fund herein provided for:

(a) The wife or widow married subsequent to the date upon which this Act shall come in force and effect in such city, of any policeman who shall die while in the service if such widow shall not have been married to such policeman before he shall have attained an age of fifty-seven (57) years.

(b) The wife or widow, married subsequent to the date upon which this Act shall come in force and effect in such city, of any policeman who shall have

10 resigned or been discharged from the service and who shall or shall not have
 11 entered upon annuity and who shall die while out of the service, if such widow
 12 shall not have been the wife of such policeman while he was in the service and
 13 before he attained an age of fifty-seven (57) years.

14 (c) The wife or widow of any policeman who shall have served ten (10) or
 15 more years and who shall die while out of the service, after he shall have re-
 16 signed or been discharged from the service, who shall have withdrawn or
 17 applied for refund of the sums to his credit for annuity purposes to which he
 18 shall have or shall have had a right of refund as provided in Section 39 of this
 19 Act.

20 (d) The wife or widow of any policeman who shall die while out of the
 21 service after he shall have resigned or been discharged from the service before
 22 he shall have attained an age of fifty-seven (57) years and who shall not have
 23 served at least 10 years.

Sec. 39. (a) 1. Any future entrant or present employee, without regard
 2 to the period of time he shall have served, who shall resign or be discharged
 3 from the service after the first day in the month of January of the first year
 4 after the year in which this Act shall come in force an effect in such city, and
 5 before he shall become fifty (50) years of age, and any future entrant or present
 6 employee, who shall have served less than ten (10) years, who shall resign or be
 7 discharged from the service after the first day in the month of January of the
 8 first year after the year in which this Act shall come in force and effect in such
 9 city, and before he shall have become fifty-seven (57) years of age, shall have
 10 a right to have refunded to him the entire amount which shall have accumulated
 11 to his credit for Age and Service Annuity and Widow's Annuity purposes on the
 12 date of such resignation or discharge from the service from amounts deducted
 13 from his salary in accordance with the provisions of this Act.

14 2. Any such future entrant or present employee shall retain such right to
 15 refund of such amounts when he shall apply for same, until the amount of annu-
 16 ity to which he shall have a right shall have been fixed as provided in Section

17 26 or in Section 27 of this Act, whichever such section shall apply to the case
18 of the policeman concerned. Thereafter, no such right shall exist in the case of
19 any such future entrant or present employee.

20 3. Any such future entrant or present employee who shall avail himself of
21 such right and withdraw such amount so credited to him shall ipso facto sur-
22 render and forfeit all rights to any annuity or other benefit from the Annuity
23 and Benefit Fund herein provided for, for himself and for any other person or
24 persons who might benefit through him because of service rendered by him
25 prior to the time he shall make application for refund of the amounts hereinbe-
26 fore stated. *However*, such future entrant or present employee shall retain the
27 right to have any such period of service counted as service for the purpose of
28 computing the term of his service in the event that such future entrant or
29 present employee shall subsequently re-enter the service before he shall attain
30 an age of fifty-seven (57) years and become a beneficiary of the Annuity and
31 Benefit Fund provided for in this Act.

32 4. Any such future entrant or present employee who shall have served ten
33 (10) or more years and who shall not withdraw the amounts aforesaid to which
34 he shall have a right of refund shall have a right to annuity as hereinbefore
35 stated in this Act.

36 5. Any such future entrant or present employee who shall have served less
37 than ten (10) years and who shall not withdraw the amounts to which he shall
38 have a right to refund, shall have a right to have all such amounts and all other
39 amounts to his credit for annuity purposes on the date of his resignation or dis-
40 charge from the service retained to his credit and improved by interest while
41 he shall be out of the service at the rate of three and one-half (3½) per cent per
42 annum and used for annuity purposes for his benefit and the benefit of any
43 person who may have any right to annuity through him because of his service,
44 according to the provisions of this Act, in the event that he shall subsequently
45 re-enter the service and complete the number of years of service necessary to
46 attain a right to annuity; but such sums shall be improved by interest to his

47 credit while he shall be out of the service only until he shall have become fifty-
48 seven (57) years of age.

49 (b) When any male policeman shall become fifty-seven (57) years of age
50 while in the service and shall not then be married, any sum accumulated from
51 deductions from his salary for Widow's Annuity purposes shall then be re-
52 funded to him. Thereafter, in his case, no sums shall be deducted from his
53 salary or contributed by the city for Widow's Annuity purposes.

54 (c) When any male policeman shall resign or be discharged from the
55 service before he shall have become fifty-seven (57) years of age and shall enter
56 upon annuity and shall not then be married, any sum accumulated from deduc-
57 tions from his salary for Widow's Annuity purposes shall then be refunded to
58 him.

59 (d) Whenever any amounts shall be refunded, as hereinbefore stated in
60 this section, the amounts to the credit of the policeman concerned in each such
61 transaction for annuity purposes at the time any such refund shall be made
62 which shall have been accumulated from contributions by the city, shall be trans-
63 ferred to the Prior Service Annuity Fund described in subdivision (f) of Sec-
64 tion 54 of this Act for the purposes stated in paragraph (a) of Section 51 of
65 this Act, until such time as the assets of such fund become equal to the liabilities
66 thereof as stated in paragraph (b) of said Section 51. Thereafter, any such
67 amounts shall become a credit to the city and, with interest thereon at the rate of
68 four (4) per cent per annum, shall be used to reduce the amount which the city
69 would otherwise pay during a succeeding year to the Annuity and Benefit Fund
70 herein provided for.

71 (e) In any case in which an amount equal to the total amount accumulated
72 and credited to the account of a deceased policeman from sums deducted, after the
73 first day in the month of January of the first year after the year in which this
74 Act shall come in force and effect in such city, from the salary of such police-
75 man for annuity purposes, shall not have been paid to such policeman, and in the
76 case of a married male policeman to such policeman and the widow of such

77 policeman both together, in form of annuity before the death of the last of such
78 persons who shall die, an amount equal to the difference between such total
79 amount resulting from sums deducted from his salary and the entire amount
80 paid in form of annuity or annuities, without interest upon either such amount,
81 shall be refunded and paid to the children of such policeman, in equal parts to
82 each, unless such policeman shall direct in writing, sworn to before an officer
83 authorized to administer oaths in this State, and filed with the Retirement
84 Board before the death of such policeman, that any such amount shall be re-
85 funded and paid to any one or more of such children; and if there be no such
86 children such amount shall be refunded and paid to the heirs of such policeman
87 according to the law pertaining to estates of deceased persons; *provided*, if any
88 child or children of such policeman shall be less than eighteen (18) years of age
89 such part or all of any such amount as shall be equal to the sum necessary to
90 pay annuities in accordance with the provisions of this Act to such child or chil-
91 dren shall not be refunded as hereinbefore stated to any child, or children, or
92 heirs at law of such policeman but shall be transferred to the Child's Annuity
93 Fund (hereinafter described) of the Annuity and Benefit Fund herein provided
94 for and used therein for the purpose of paying annuities to children.

Sec. 40. No overtime or extra service shall be included in computing the
2 term of service of any policeman and not more than one year or proper frac-
3 tional part thereof of service shall be allowed for service rendered during any
4 calendar year or part thereof.

Sec. 41. Any service rendered by any policeman while not in the police de-
2 partment, of such city, as a regular member of the paid fire department of such
3 city shall be counted, for annuity and benefit purposes under the provisions of
4 this Act, as if such service were rendered as a policeman of such city. And any
5 salary received by any policeman for any such service in such fire department
6 shall be treated, for the purposes of this Act, in the same manner as though such
salary were received for the performance of duty as a policeman.

Sec. 42. Whenever any territory shall be annexed to such city, any policeman then employed as a policeman in such annexed territory, who shall be employed by such city on the date of the annexation of such territory as a policeman of such city shall automatically come under the provisions of this Act and any term of service rendered in such territory by such policeman shall be considered, for the purposes of this Act as such a term of service rendered in such city.

Any such policeman shall be treated in every respect, as of the date such annexation shall come into effect, in the manner specified in this Act concerning present employees of such city on the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city.

Sec. 43. Annuity to be known as "Child's Annuity" shall be provided for children of policemen. Any such annuity shall be payable monthly from and after the date of the death of the policeman parent of any such child, until the annuitant shall attain an age of eighteen (18) years. The first payment of such annuity shall not become due and payable until one month from and after such date.

Sec. 44. Child's Annuity, as hereinafter provided, shall be granted and paid for the benefit of any child less than eighteen (18) years of age the issue of any following described policeman who shall die on or after the first day in the month of January of the first year after the year in which this Act shall come in force and effect in such city; provided, such child shall have been born before such policeman attained an age of fifty-seven (57) years,, and before he shall have resigned or been discharged from the service.

Any policeman whose death shall result from injury incurred in the performance of any act or acts of duty; any policeman who shall die while in the service from any cause; any policeman who shall resign or be discharged from the service subsequent to his attainment of an age of fifty (50) years and who

12 shall have entered upon annuity or who shall be eligible for annuity; any pres-
13 ent employee who shall have served twenty (20) or more years who shall die
14 after he shall have resigned or been discharged from the service and shall have
15 entered upon annuity; any present employee who shall have served twenty (20)
16 or more years and who shall have resigned or been discharged from the service
17 who shall die before he shall have entered upon annuity, provided, such pres-
18 ent employee shall not have received nor applied for refund of the amount to
19 which he shall have a right of refund in accordance with the provisions of
20 Section 39 of this Act.

21 Any such annuity shall consist of amounts of ten dollars (\$10.00) per
22 month for each child while a widow or widower of the deceased policeman
23 parent of such child shall survive and of twenty-five dollars (\$25.00) per month
24 for each such child while no such widow or widower shall exist; provided, if
25 annuities for the widow and children of any policeman whose death shall have
26 been the result of injury incurred in the performance of any act or acts of duty
27 or for the children of such policeman in any such case wherein a widow shall
28 not exist, computed at the rates hereinbefore stated, would exceed an amount
29 equal to that of the final salary of such policeman the annuity for each child of
30 such policeman shall be reduced pro rata so that the combined annuities for the
31 family of such policeman shall not exceed an amount equal to such salary; and
32 in the case of the family of any policeman whose death shall have been the result
33 of any cause or causes other than injury incurred in the permormance of any
34 act or acts of duty in which annuities for such family, computed at the rates
35 hereinbefore stated, would exceed an amount equal to sixty (60) per cent of
36 the final salary of such policeman, the annuity of each child of such policeman
37 shall be reduced pro rata so that the combined annuities for such family shall not
38 exceed an amount equal to sixty (60) per cent of such salary.

9 Any annuity which shall be granted for the benefit of any child shall be paid
0 to the parent of such child who shall be providing for such child, unless an-
1 other person shall have been or shall be appointed by a court of law as the
2 guardian of such child.

43 On or before the first day in the month of October of each year, the Re-
 44 tirement Board shall submit an estimate, to the City Council of such city, of the
 45 amount which will be required to pay annuities to children during the succeed-
 66 ing year, and such amount shall be paid into the Annuity and Benefit Fund
 67 herein provided for from taxes levied and collected for the purpose of said
 68 fund.

 Sec. 45. Benefit to be known as "Duty Disability Benefit" shall be pro-
 2 vided for policemen in the service who shall become disabled as the result of
 3 injury incurred in the performance of any act or acts of duty.

4 Benefit to be known as "Child's Disability Benefit" shall be provided for
 5 policemen disabled as stated in the preceding paragraph who shall be the par-
 6 ents of any child or children less than eighteen (18) years of age.

7 Any policeman less than fifty-seven (57) years of age, who shall become
 8 disabled subsequent to the first day in the month of January of the first year
 9 after the year in which this Act shall come in force and effect in such city, as the
 10 result of injury incurred in the performance of any act or acts of duty, shall
 11 have a right to receive Duty Disability Benefit during any period of such disa-
 12 bility for which such policeman shall not receive nor have a right to receive sal-
 13 ary, of an amount equal to seventy-five (75) per cent of his salary as it shall
 14 be at the time of such injury. Any such policeman shall also have a right to
 15 receive Child's Disability Benefit of amounts of ten (10) dollars a month on ac-
 16 count of each child (the issue of such policeman) less than eighteen (18) years
 17 of age; provided, the total amount of Child's Disability Benefit which shall be
 18 granted or paid to any such policeman shall not exceed twenty-five (25) per cent
 19 of the salary, as aforesaid, of such policeman. Such benefit or benefits shall be
 20 paid to such disabled policeman periodically according to rules concerning such
 21 benefits to be adopted by the Retirement Board.

22 The first payment of any Duty Disability Benefit or Child's Disability Ben-
 23 efit which any policeman shall have a right to receive shall be made not later
 24 than one month after such benefit shall be granted by the Retirement Board,

and each subsequent payment of such benefit shall be made at a time not later than one month from and after the time when the latest payment of such benefit shall have been made

Proof of disability shall be furnished to the Retirement Board by at least one licensed and practicing physician, appointed by said Retirement Board, and said Retirement Board may require other evidence of disability. Each disabled policeman who shall receive any Duty Disability Benefit under the provisions of this section shall be examined at least once a year by one or more licensed and practicing physician or physicians appointed by said Retirement Board. Such physician or physicians shall advise said Retirement Board, whether the disability of such policeman continues or not. When the disability of any such policeman shall cease, the said Board shall discontinue payment of Duty Disability Benefit and of Child's Disability Benefit to such policeman and such policeman shall be returned to active service as a policeman.

Duty Disability Benefit shall be paid to any policeman, disabled as aforesaid, during any period of such disability until such disabled policeman shall have become fifty-seven (57) years of age, and Child's Disability Benefit shall be paid to any such policeman, who shall be the parent of any child or children (the issue of such policeman) less than eighteen (18) years of age, during any such period of time until such child or children of such policeman shall attain an age of eighteen (18) years.

When any policeman so disabled shall become fifty-seven (57) years of age, such disability benefit or benefits shall cease and such policeman if still disabled, shall thereafter receive such annuity or annuities as are provided for in accordance with the other provisions of this Act.

No policeman so disabled shall become fifty-seven (57) or more years of age, shall have a right to receive Duty Disability Benefit or Child's Disability Benefit.

In lieu of all amounts ordinarily deducted, for annuity purposes, from the salary of any policeman, disabled as aforesaid, the city shall contribute sums

55 equal to such amounts for any period of disability of such policeman during
 56 which he shall receive Duty Disability Benefit. Such sums so contributed shall
 57 be credited to such disabled policeman as though they were deducted from his
 58 salary and shall be regarded for annuity and refund purposes as sums deducted
 59 from such salary.

60 The city shall also contribute all amounts ordinarily contributed by it for
 61 annuity purposes for such policeman as though he were in active discharge of his
 62 duties during any such period of disability.

63 The Retirement Board shall submit an estimate on or before the first day in
 64 the month of October of each year to the City Council of such city, of the amount
 65 necessary to provide Duty Disability Benefits and Child's Disability Benefits
 66 during the succeeding calendar year and such amount shall be paid into the
 67 Annuity and Benefit Fund herein provided for from taxes levied and collected
 68 for the purposes of said fund.

Sec. 46. Benefit to be known as "Ordinary Disability Benefit" shall be pro-
 2 vided for policemen in the service who shall become disabled as the result of any
 3 cause other than injury incurred in the performance of an act or acts of duty.

4 Any policeman less than fifty-seven (57) years of age, who shall become dis-
 5 abled subsequent to the first day in the month of January of the first year after
 6 the year in which this Act shall come in force and effect in such city, as the result
 7 of any cause other than injury incurred in the performance of an act or acts of
 8 duty, shall have a right to receive Ordinary Disability Benefit during any period
 9 or periods of any such disability, for which such policeman shall not receive nor
 10 have a right to receive any part of his salary, which shall not exceed, in the
 11 aggregate, throughout the entire period of such policemen's service, a period of
 12 time equal to one-fourth ($\frac{1}{4}$) of the entire period of service rendered by such
 13 policeman in the service of such city prior to the time he shall have become so
 14 disabled, and which shall not exceed five (5) years in any case. In computing any
 15 such entire period of service, any period of time during which such policeman

16 shall have received Ordinary Disability Benefit under the provisions of this sec-
17 tion shall not be included for the purposes of this section.

18 The first payment of Ordinary Disability Benefit which any policeman shall
19 have a right to receive shall be made not later than one month after such benefit
20 shall be granted by the Retirement Board and each subsequent payment of such
21 benefit shall be made at a time not later than one month from and after the time
22 when the latest payment of such benefit shall have been made.

23 Proof of disability shall be furnished to the Retirement Board by at least one
24 licensed and practicing physician appointed by said Retirement Board and said
25 Retirement Board may require other evidence of disability. Each disabled
26 policeman who shall receive Ordinary Disability Benefit under the provisions of
27 this section shall be examined at least once a year by one or more licensed and
28 practicing physician or physicians appointed by said Retirement Board. Such
29 physician or physicians shall advise said Retirement Board whether the disability
30 of such policeman continues or not. When the disability of any such policeman
31 shall cease, the said Retirement Board shall discontinue payment of Ordinary Dis-
32 ability Benefit to such policeman and such policeman shall be returned to active
33 service as a policeman.

34 Ordinary Disability Benefit shall consist of an amount equal to fifty (50) per
35 cent of the salary of such disabled policeman, as such salary shall be at the time
36 such disability shall occur, for a period of time equal to any period of time for
37 which any payment of such disability benefit shall become due and payable. Be-
38 fore any payment thereof shall be made to any policeman, an amount equal to the
39 sum or sums ordinarily deducted from the salary of such policeman for all
40 annuity purposes during a period of time equal to that for which such payment
41 of Ordinary Disability Benefit is to be made shall be deducted from such payment
42 and credited to such policeman as a deduction from his salary for such period.
43 Such sums so deducted and credited shall be regarded, for annuity and refund
44 purposes, as sums deducted from the salary of such policeman.

45 The city shall contribute all amounts ordinarily contributed by it for annuity
46 purposes for such disabled policeman as though he were in active discharge of his
47 duties during any such period of disability.

48 The Retirement Board shall submit an estimate, on or before the first day in
49 the month of October of each year, to the City Council of such city, of the sum
50 necessary to provide Ordinary Disability Benefits during the succeeding calendar
51 year. Such estimates shall show the amounts to be provided during such calen-
52 dar year by the policemen included under the provisions of this section, and by
53 the city.

54 To provide Ordinary Disability Benefit, contributions shall be made by all
55 policemen less than fifty-seven (57) years of age, and by the city as follows:

56 During the first year after the year in which this Act shall come in force and
57 effect in such city, one-eighth ($\frac{1}{8}$) of one (1) per cent of each payment of the
58 salary of each such policeman, except those policemen who are in receipt of
59 Duty Disability Benefits or Ordinary Disability Benefits, shall be deducted and
60 contributed to the Annuity and Benefit Fund herein provided for. Such deduc-
61 tions shall be made at the times such payments of salary are payable.

62 Concurrently with each such deduction from the salary of any such police-
63 man, the city shall contribute a sum equal to one-eighth ($\frac{1}{8}$) of one (1) per cent
64 of each such payment of the salary of such policeman. If it shall not be possible
65 or practicable for the city to make any such contribution at the same time any
66 such deduction shall be made, the city shall make such contribution as soon as
67 possible and practicable thereafter, with interest thereon at the rate of four (4)
68 per cent per annum to the date such contribution shall be made so that each such
69 contribution shall exactly equal the value of each such corresponding deduction
70 as such value shall be at the time such contribution shall be made.

71 Beginning on the first day in the month of January of the second year after
72 the year in which this Act shall come in force and effect in such city, and during
73 each year thereafter one-half ($\frac{1}{2}$) of the total sum which shall be estimated
74 annually by the Retirement Board as necessary to provide Ordinary Disability

75 Benefits during such year shall be contributed by the policemen included under
76 the provisions of this section as follows:

77 Such amount (one-half ($\frac{1}{2}$) of said total sum) shall be pro rated among all
78 such policemen in proportion to the annual salary of each such policeman, the
79 percentage of each such annual salary which the sum related thereto shall con-
80 stitute shall be ascertained, and a sum equal to a like percentage of each pay-
81 ment of such salary shall be deducted from each such payment of such salary.

82 Concurrently with each such deduction from the salary of each such police-
83 man the city shall contribute a sum equal to the amount of such deduction. If it
84 shall not be possible or practicable for the city to make any such contribution at
85 the same time any such deduction shall be made, the city shall make such con-
86 tribution as soon as possible and practicable thereafter with interest thereon at
87 the rate of four (4) per cent per annum to the date such contribution shall be
88 made so that each such contribution shall exactly equal the value of each such cor-
89 responding deduction as such value shall be at the time such contribution shall be
90 made.

Sec. 47. Notwithstanding the provisions of Sections 45 and 46 of this Act,
2 if any policeman who shall apply for or who shall have been granted any dis-
3 ability benefit under the provisions of said Sections 45 or 46 shall refuse to
4 submit to examination by any physician or surgeon appointed as aforesaid, such
5 policeman shall not have any right to receive such disability benefit and any such
6 benefit which shall have been granted shall be cancelled immediately upon such
7 refusal.

8 No disability benefit shall be paid on account of any form of disability for
9 any period of time for which a disabled policeman shall receive any part of his
0 salary, and no such benefit shall be paid for any period of disability for which
1 a disabled policeman shall have any right to receive any part of his salary under
2 any law or ordinance in effect in such city.

Sec. 48. Notwithstanding any other provisions of this Act, whenever any
3 policeman who shall have served less than twenty (20) years, and who shall have

3 received Ordinary Disability Benefit under the provisions of this Act, shall be
 4 disabled, as the result of any cause other than injury incurred in the perform
 5 ance of an act or acts of duty, for a period or periods of time aggregating in
 6 excess of one-fourth ($\frac{1}{4}$) of the entire term of such service rendered by such
 7 policeman, exclusive of any period of disability during which such policeman
 8 shall have received Ordinary Disability Benefit under the provisions of this Act
 9 and whenever any policeman who shall have served twenty (20) or more years
 10 exclusive of any period of disability during which such policeman shall have re
 11 ceived Ordinary Disability Benefit under the provisions of this Act, shall be so
 12 disabled for a period or periods of time aggregating in excess of five (5) years
 13 and such policeman shall resign or be discharged from the service while still so
 14 disabled and before he shall have attained an age of fifty (50) years, such police
 15 man shall have the right to receive annuity from and after the date of such resign
 16 ation or discharge from the service of such amount as can be provided from the
 17 sum to the credit of such policeman on the date of such resignation or discharge
 18 for the purpose of providing annuity for such policeman. Any such annuity shall
 19 be computed as of the age of the policeman concerned on the date of his resigna
 20 tion or discharge from the service.

21 The annuity to which the wife of any such policeman shall have a right from
 22 and after the date of the death of such policeman shall be fixed on the date of the
 23 resignation or discharge of such policeman. It shall be of such amount as can
 24 be provided from the amount to the credit of such policeman on the date of his
 25 resignation or discharge from the service, for the purpose of providing annuity
 26 for the widow of such policeman. Any such annuity shall be computed as of the
 27 age of such wife on the date of such resignation or discharge; *provided*, that if
 28 such wife shall be older than five (5) years the junior of her husband her age shall
 29 be assumed to be five (5) years less than his.

30 In the case of the death of any such policeman after he shall have entered
 31 upon annuity, any child, under the age of eighteen (18) years, who shall be the
 32 issue of such policeman shall have a right to receive annuity of the same amount

33 as is specified in Section 44 of this Act for a child of a future entrant who shall
34 retire after he shall have attained an age of fifty (50) years, and the limitation
35 stated in said Section 44 concerning the amount of annuity to be paid to the
36 family of a policeman shall apply in any case to which this section shall apply.

Sec. 49. In computing the term of service rendered by any policeman prior
2 to the first day in the month of January of the first year after the year in which
3 this Act shall come in force and effect in such city, the following periods of time
4 shall be counted as periods of service for annuity purposes only: All periods
5 of vacation, all periods of leave of absence with whole or part pay; all periods
6 of leave of absence without pay which were necessary on account of disability.

7 In computing the term of service rendered by any policeman subsequent to
8 the thirty-first day in the month of December of the year in which this Act shall
9 come in force and effect in such city, the following periods of time shall be
10 counted as periods of service for annuity purposes only: All periods of vacation,
11 all periods of leave of absence with whole or part pay, all periods of disability for
12 which such policeman shall receive any disability benefit, and all periods of dis-
13 ability for which the policeman concerned shall receive whole or part pay.

14 In computing the term of service rendered by any policeman subsequent
15 to the thirty-first day in the month of December of the year in which this Act
16 shall come in force and effect in such city, for Ordinary Disability Benefit pur-
17 poses, all periods of time described in the preceding paragraph, except any such
18 period of time for which such policeman shall receive Ordinary Disability Benefit,
19 shall be counted as periods of service.

Sec. 50. It is the intention of this Act that the Annuity and Benefit Fund
2 herein provided for shall on the first day in the month of January of the first
3 year after the year in which this Act shall come in force and effect in such city,
4 and thereafter, supercede and take the place of any Police Pension Fund which
5 shall be in operation, in such city, under and by virtue of an Act entitled, "An
6 Act to provide for the setting apart, formation and disbursement of a police pen-

7 sion fund in cities having a population exceeding two hundred thousand inhabit-
8 ants," approved June 29, 1915, in force July 1, 1915, as subsequently amended,
9 at the time this Act shall come in force and effect in such city. Therefore, if any
10 Police Pension Fund, created and maintained under and by virtue of said Act, as
11 subsequently amended, shall be in operation in any such city at the time this Act
12 shall come in force and effect in such city, all moneys, securities and other assets
13 of such fund shall be transferred, on the first day in the month of January of the
14 first year after the year in which this Act shall come in force and effect in such
15 city, by the board of trustees of such fund to the Retirement Board of the Annu-
16 ity and Benefit Fund herein provided for, which Retirement Board is hereby
17 empowered to receive them, and shall be placed in the Annuity and Benefit Fund
18 herein provided for and such Police Pension Fund shall then cease to exist. If it
19 shall not be possible or practicable for the board of trustees of any such Police
20 Pension Fund to transfer all moneys, securities and other assets of such fund to
21 the said Retirement Board on the first day in the month of January of the first
22 year after the year in which this Act shall come in force and effect in such city,
23 all such moneys, securities and other assets shall be transferred to said Retire-
24 ment Board as soon as possible and practicable after such day, and any such
25 transfer shall be made as of such day.

26 All annuities, pensions and other benefits allowed prior to the first day in the
27 month of January of the first year after the year in which this Act shall come in
28 force and effect in such city, by the board of trustees of such Police Pension
29 Fund shall thereafter be paid by the said Retirement Board from the Annuity and
30 Benefit Fund herein provided for, according to the law or laws under which such
31 annuities, pensions, or other benefits were allowed.

32 All claims for any annuity, pension or other benefit from such Police Pension
33 Fund which are pending or ungranted on the first day in the month of January
34 of the first year after the year in which this Act shall come in force and effect, in
35 such city, shall be allowed or disallowed by said Retirement Board according to
36 the provisions of said Act entitled, "An Act to provide for the setting apart, for-

37 mation and disbursement of a police pension fund in cities having a population
38 exceeding two hundred thousand inhabitants," approved June 29, 1915, in force
39 July 1, 1915, as subsequently amended, and those which shall be allowed shall
40 be paid from the Annuity and Benefit Fund herein provided for.

41 Widow's and children less than eighteen (18) years of age, of policemen who
42 are or who shall become pensioners under and by virtue of said Act entitled, "An
43 Act to provide for the setting apart, formation and disbursements of a police
44 pension fund in cities having a population exceeding two hundred thousand in-
45 habitants," approved June 29, 1915, in force July 1, 1915, as subsequently
46 amended, and who shall die shall have a right to receive pensions in accord with
47 the provisions of said Act as subsequently amended, and the Retirement Board
48 shall allow such pensions in accordance with the provisions of said Act, as subse-
49 quently amended, and shall pay all such pensions from the Annuity and Benefit
50 Fund herein provided for.

Sec. 51. (a) For the purpose of paying Prior Service Annuities and
2 Widow's Prior Service Annuities provided for in this Act, and all annuities,
3 pensions and benefits which have been or which shall be allowed or granted
4 under and by virtue of an Act entitled, "An Act to provide for the setting apart,
5 formation and disbursement of a police pension fund in cities having a popula-
6 tion exceeding two hundred thousand inhabitants," approved June 29, 1915, in
7 force July 1, 1915, as subsequently amended, or under and by virtue of Sections
8 50, 55 and 56 of this Act also for the purpose of providing a sufficient amount of
9 money in the Investment and Interest Fund, described in subdivision (1) of
10 Section 54 of this Act, to make possible the transfer of moneys from said fund
11 to other funds of the Annuity and Benefit Fund herein provided for as stated
12 in said subdivision (1) of said Section 54, such city shall contribute the sum of
13 one million seven hundred thousand dollars (\$1,700.00) each year to the Annuity
14 and Benefit Fund herein provided for, beginning in the first year after the year
15 in which this Act shall come in force and effect in such city; provided, however,
16 if in any one year such sum of one million seven hundred thousand dollars

17 (\$1,700.00) together with all other sums required during such year for the pur-
18 poses of the Annuity and Benefit Fund herein provided for, in accordance
19 with the provisions of this Act, shall constitute an amount in excess of the total
20 amount received into said Annuity and Benefit Fund during each year, all sums
21 required for purposes other than those stated in this section shall be applied for
22 such purposes and the balance of the said total amount received shall be ap-
23 plied for the purposes named in this section.

24 (b) All such amounts contributed by the city shall be placed in the Prior
25 service Annuity Fund described in subdivision (f) of Section 54 of this Act.
26 When the assets of the said Prior Service Annuity Fund shall equal the liabili-
27 ties thereof (including in addition to all other liabilities of such fund, the present
28 values, according to the American Experience Table of Mortality and interest
29 at the rate of four (4) per cent per annum, of all annuities, present or prospect-
30 ive, to be paid from said Prior Service Annuity Fund) the city shall cease to
31 contribute the sum stated in paragraph (a) of this section or any part thereof;
32 provided, however, if at any time the assets of the said Investment and Interest
33 Fund shall not be sufficient to permit of a transfer of moneys from said fund to
34 any other fund of the Annuity and Benefit Fund herein provided for, in accord-
35 ance with the provisions of subdivision (c) of Section 54 of this Act, the city
36 shall, as soon as possible and practicable thereafter, contribute a sum or sums
37 sufficient to make possible such transfer of the amount or amounts of money
38 required, and provided further, if by reason of annexation of territory and the
39 employment of such city of any policeman employed in any such territory at
40 the time of such annexation, after the city shall have ceased to contribute as
41 provided in paragraph (a) of this section, contributions of moneys to provide
42 Prior Service Annuity and Widow's Prior Service Annuity (either or both) for
43 or on account of such policeman shall become necessary for such annuity pur-
44 poses, the city shall as soon as possible and practicable thereafter, contribute a
45 sum or sums sufficient to provide such annuities. However, the city shall not
46 in any event contribute any amount in excess of one million seven hundred thou-

47 sand dollars (\$1,700.00) in any one year for any and all purposes stated in this
48 section.

Sec. 52. For the purpose of paying annuities, the Retirement Board may
2 at all times keep and hold uninvested a sum not in excess of the amount required
3 to make all annuity payments which shall become due and payable within the fol-
4 lowing ninety (90) days. Such sum or any part thereof shall be kept on deposit
5 in any bank in the State of Illinois, organized under the laws of said state as a
6 state bank, or organized under the laws of the United States as a national bank;
7 provided, that the amount which said Retirement Board may deposit in any
8 such bank shall not in any case exceed twenty-five (25) per cent of the paid up
9 capital and surplus of such bank.

Sec. 53. No annuity shall be fixed, granted, or paid and no disability ben-
2 efit shall be granted or paid, under or by virtue of this Act before the first day
3 in the month of January of the first year after the year in which this Act shall
4 come in force and effect in such city.

Sec. 54. (a) All money and property which shall be received by the Re-
2 tirement Board for the Annuity and Benefit Fund herein provided for shall
3 be placed in some one or more of the following described funds which shall be
4 established and maintained by said Retirement Board within the said Annuity
5 and Benefit Fund.

6 (b) EXPENSE FUND.] All amounts of money which shall be contributed by
7 the city and all amounts which shall be deducted from the salaries of policemen to
8 defray the cost of administration of the Annuity and Benefit Fund herein
9 provided for, as stated in section 13 of this Act, shall be paid into a fund to be
10 known as the Expense Fund. All expenses of such administration shall be
11 paid from this fund.

12 (c) CITY CONTRIBUTION FUND.] All amounts of money which the city shall
13 contribute for Age and Service Annuity, Widow's Annuity and Supplementary

14 Annuity purposes—except those contributed as provided in section 45 of this
 15 Act, in lieu of deductions from the salary of any teacher who shall receive Duty
 16 Disability Benefit—also all amounts which shall be transferred to this fund from
 17 the Investment and Interest Fund shall be placed in this fund.

18 An individual account shall be kept in this fund concerning each police-
 19 man for whose benefit the city shall contribute for Age and Service Annuity or
 20 for Widow's Annuity purposes (the former or both) and with each widow for
 21 whose benefit the city shall contribute for Supplementary Annuity purposes.
 22 As such contributions are received they shall be credited to the accounts of the
 23 various persons for whom they shall be made.

24 At least once each year, and always before any money shall be transferred
 25 from this fund to any other fund described in this section, the sums thus cred-
 26 ited shall be improved by the proper interest accretions.

27 When the amount of annuity to be paid to any policeman, or to the widow
 28 of any policeman shall be fixed, and when Supplementary Annuity for the
 29 widow of any policeman shall first become payable, the total amount in this
 30 fund for the purpose of providing such annuity and required for such pur-
 31 pose shall be taken therefrom and placed in the Annuity Payment Fund.

32 In any case in which there shall be in this fund to the credit of any police-
 33 man who shall resign or be discharged from the service before such policeman
 34 shall have attained an age of fifty-seven (57) years an amount in excess of
 35 that required to provide Age and Service Annuity for such policeman, or an
 36 amount in excess of that required to provide Widow's Annuity for the wife
 37 of such policeman (either or both), such amount or amounts shall be retained
 38 in this fund and improved by interest at the rate of four (4) per cent per
 39 annum until such policeman shall become fifty-seven (57) years of age or shall
 40 die, whichever event shall occur first. Any such accumulated amount shall then
 41 be used in accordance with the provisions of subdivision (d) of section 39 of
 42 this Act.

43 (d) SALARY DEDUCTION FUND.] All amounts of money which shall be de-
44 ducted from the salaries of policemen for Age and Service Annuity and
45 Widow's Annuity purposes, also all amounts of money which shall be contri-
46 buted by the city for any such annuity purpose for the benefit of any police-
47 man who shall receive Duty Disability Benefit under the provisions of section
48 45 of this Act, in lieu of any such amount which would have been deducted
49 from the salary of such policeman if such policeman were performing active
50 duty, also all amounts which shall be transferred to this fund from the In-
51 vestment and Interest Fund shall be placed in this fund.

52 An individual account shall be kept in this fund concerning each police-
53 man from whose salary any such amount shall be deducted or for whose bene-
54 fit the city shall make any such contribution. As such deductions or contribu-
55 tions are received they shall be credited to the accounts of the various persons
56 for whom they shall be made.

57 At least once each year, and always before any moneys shall be trans-
58 ferred from this fund to any other fund described in this section, the sums
59 thus credited shall be improved by the proper accretions.

60 When the amount of annuity to be paid to any policeman or to the widow
61 of any policeman shall be fixed or granted, the total amount in this fund for
62 the purpose of providing such annuity and required for such purpose shall be
63 taken therefrom and placed in the Annuity Payment Fund.

64 All amounts which shall have resulted from deductions from the salary of
65 any policeman, and all amounts which shall have resulted from contributions
66 made by the city for the benefit of any policeman who shall receive Duty Dis-
67 ability Benefit, in lieu of deduction from the salary of such policeman, in ac-
68 cord with the provisions of section 45 of this Act, that are to be refunded in
69 accordance with the provisions of this Act, except those referred to in para-
70 graph (e) of this section, shall be paid from this fund.

71 (e) ANNUITY PAYMENT FUND.] All amounts of money which shall be taken
72 from the City Contribution Fund and from the Salary Deduction Fund for the

73 purpose of paying annuities which shall have been fixed, also all amounts which
74 shall be deducted from the salary of any policeman after the amount of Age
75 and Service Annuity for such policeman shall have been fixed, also all amounts
76 which shall be transferred to this fund from the Investment and Interest
77 Fund shall be placed in this fund.

78 All Age and Service Annuities and all Widow's Annuities shall be paid
79 from this fund. Any amount to be refunded in accordance with the provisions
80 of subdivision (e) of section 39 of this Act shall be paid from this fund.

81 If any policeman who shall have resigned or been discharged from the
82 service and whose annuity shall have been fixed or granted shall re-enter the
83 service before he shall have attained an age of fifty-seven (57) years, an
84 amount which shall be determined in accordance with the provisions of para-
85 graph (a) of section 34 of this Act shall be transferred from this fund and
86 placed to the credit of such policeman for Age and Service Annuity purposes
87 in the City Contribution Fund and the Salary Deduction Funds, respectively.

88 Such amount shall be divided and placed in said funds in the ratio in which
89 the respective amounts transferred from such funds to this fund for Age and
90 Service Annuity purposes for such policeman bore to each other at the time
91 the annuity for such policeman shall have been fixed. If the woman who shall
92 be the wife of such policeman when he shall re-enter the service shall be the
93 one who was the wife of such policeman when annuity for the wife of such
94 policeman shall have been fixed, an amount to be determined in accordance with
95 the said paragraph (a) of said section 34 shall be transferred from this fund
96 and placed to the credit of such policeman for Widow's Annuity purposes in
97 the City Contribution Fund and the Salary Deduction Fund, respectively. Such
98 amount shall be divided and placed in said funds in the ratio which the re-
99 spective amounts transferred from such funds to this fund for Widow's Annu-
100 ity purposes for the wife of such policeman bore to each other at the time the
101 annuity for the wife of such policeman shall have been fixed.

102 (f) PRIOR SERVICE ANNUITY FUND.] All amounts of money which shall be
103 contributed by the city for Prior Service Annuity and for Widow's Prior
104 Service Annuity purposes and all money which shall be contributed by the city
105 to provide annuities in accordance with the provisions of sections 55 and 56
106 of this Act shall be placed in this fund. All assets of any Police Pension
107 Fund which shall exist under and by virtue of an Act entitled, "An Act to
108 provide for the setting apart, formation and disbursements of a police pension
109 fund in cities having a population exceeding two hundred thousand inhabit-
110 ants," approved June 29, 1915, in force July 1, 1915, as subsequently amended,
111 in such city at the time this Act shall come in force and effect in such city,
112 which shall be turned over to the Retirement Board as provided in section 50
113 of this Act shall also be placed in this fund.

114 All Prior Service Annuities and Widow's Prior Service Annuities pay-
115 able under the provisions of this Act and all annuities, benefits and pensions
116 which shall have been granted or shall be granted to any person or persons
117 under, or in accord with, the provisions of an Act entitled, "An Act to pro-
118 vide for the setting apart, formation and disbursement of a police pension
119 fund in cities having a population exceeding two hundred thousand inhabit-
120 ants," approved June 29, 1915, in force July 1, 1915, as subsequently amended,
121 and of section 50 of this Act shall be paid from this fund.

122 If at any time the assets of the Investment and Interest Fund (described
123 in subdivision (1) of this section) shall not be sufficient to permit of transfer
124 from said fund to the Annuity Payment Fund of such amounts as shall be
125 necessary according to the American Experience Table of Mortality and inter-
126 est at the rate of four (4) per cent per annum, to make the assets of the An-
127 nuity Payment Fund equal to the liabilities thereof (including among such
128 liabilities and in addition to all other liabilities of such fund the present values
129 of all annuities entered upon or fixed, and not entered upon to be paid from
130 such fund) any amount necessary for such purpose shall be taken from this
131 fund and placed in the said investment and Interest Fund.

132 (g) CHILD'S ANNUITY FUND.] All amounts of money which the city shall
 133 contribute to provide Child's Annuity according to the provisions of this Act
 134 shall be placed in this fund and all such annuities shall be paid from this
 135 fund.

136 (h) DUTY DISABILITY FUND.] All amounts of money which shall be contribu-
 137 ted by the city to provide Duty Disability Benefits and Child's Disability Benefits,
 138 and all amounts which shall be contributed by the city to provide Compensation
 139 Annuity (as defined in section 33 of this Act) for a widow of any policeman
 140 who shall die as a result of injury received in the performance of any act or
 141 acts of duty shall be placed in this fund and all such benefits and annuities
 142 shall be paid from this fund.

143 (i) ORDINARY DISABILITY FUND.] All amounts of money which shall be
 144 contributed by the city, and all amounts which shall be deducted from the
 145 salaries of policemen for the purpose of providing Ordinary Disability Bene-
 146 fits shall be placed in this fund and all such benefits shall be paid from this
 147 fund.

148 (j) If at any time there shall not be enough money in the Expense Fund,
 149 the Prior Service Annuity Fund, the Child's Annuity Fund, the Duty Disabil-
 150 ity Fund or the Ordinary Disability Fund—either one of these—to pay any
 151 expenses, annuities, or benefits which shall be due and payable from any such
 152 funds, the sums necessary to pay any such expenses, annuities, or benefits shall
 153 be taken from either one or all of the following named funds in the order
 154 stated, and transferred to the said fund or funds from which such expenses,
 155 annuities, or benefits shall be payable; City Contribution Fund, Prior Service
 156 Annuity Fund, Salary Deduction Fund. When any amount in excess of that
 157 required to pay any expenses, annuities, or benefits due and payable from
 158 any of the said funds to which any such sums shall have been transferred
 159 shall be received into such fund such amount shall be transferred from such
 160 fund to the fund or funds from which any such sums shall have been taken
 161 or transferred until the full sum so taken and transferred shall be returned

162 to any fund from which it was taken and transferred. Interest at the rate
163 of four (4) per cent per annum upon any sum so taken and returned shall
164 be paid into the Investment and Interest Fund.

165 (k) GIFT FUND.] All money or property of any kind which shall be re-
166 ceived by the Retirement Board for any purpose or purposes of the Annuity
167 and Benefit Fund herein provided for, under and by virtue of any law or laws
168 other than this law, or as gifts, grants, or bequests, or in any manner other
169 than as provided in any preceding section of this Act, shall be placed in this
170 fund and the same shall be used for the purposes of the Annuity and Benefit
171 Fund herein provided for as shall be decided by said Retirement Board. All
172 money in this fund shall be improved by interest at the rate of four (4) per
173 cent per annum.

174 (1) 1. INVESTMENT AND INTEREST FUND.] All gains from investments and
175 all interest earnings shall be paid into a fund to be known as the Investment
176 and Interest Fund. All losses from investments shall be charged to this fund.
177 From this fund shall be transferred all amounts due in interest upon balances
178 existing in the City Contribution Fund, the Salary Deduction Fund, the Prior
179 Service Annuity Fund, and the Gift Fund.

180 2. Such amounts as shall be necessary according to the American Experi-
181 ence Table of Mortality and interest at the rate of four (4) per cent per
182 annum, to make the assets of the Annuity Payment Fund equal to the liabili-
183 ties thereof (including among such liabilities and in addition to all other lia-
184 bilities of such fund the present values of all annuities entered upon or fixed,
185 and not entered upon to be paid from such fund) shall be taken from this fund
186 and transferred to the Annuity Payment Fund at least once each year.

Sec. 55. Notwithstanding the provisions of any foregoing section or sec-
2 tions of this Act, any present employee who shall resign or be discharged from
3 the service on or after the first day in the month of January of the first year
4 after the year in which this Act shall come in force and effect in such city, and
5 after he shall have completed twenty (20) or more years of service and for

6 whom the amount of annuity provided in accordance with the foregoing
7 provisions of this Act shall be less than the amount stated hereinafter in this
8 section shall have a right to receive annuity as follows:

9 Any such present employee who shall be fifty (50) or more years of age
10 at the time of his resignation or discharge from the service shall have a right
11 to receive annuity, from and after the date of such resignation or discharge, of
12 an amount equal to fifty (50) per cent of the salary of such present employee
13 as such salary shall be at the time of his resignation or discharge from the
14 service.

15 Any such present employee who shall be less than fifty (50) years of age
16 at the time he shall resign or be discharged from the service shall have a right
17 to receive annuity, from and after the date upon which he shall become fifty
18 (50) years of age, of an amount equal to fifty (50) per cent of the salary of
19 such present employee as such salary shall be at the time of his resignation or
20 discharge from the service but not in excess of the sum of nine hundred dol-
21 lars (\$900.00) a year.

Sec. 56. Notwithstanding the provisions of any other section of this Act,
2 in any case in which the amount of annuity for a widow of any present em-
3 ployee described in this section, provided in accordance with the foregoing pro-
4 visions of this Act, shall be less than the amount of annuity specified in this
5 section for such widow, the widow of any present employee who shall die
6 while in the service, and the widow of any present employee who shall resign
7 or be discharged from the service and who shall enter upon annuity (provided
8 such widow shall be married to such present employee before he shall resign
9 or be discharged from the service), and the widow of any present employee who
10 shall have served twenty (20) or more years and who shall have resigned or
11 been discharged from the service before he shall attain an age of fifty (50)
12 years and who shall not receive refunds of nor apply for refund of the amounts
13 to which he shall have a right of refund according to the provisions of section

14 39 of this Act and shall die before he shall enter upon annuity (provided, such
15 widow shall be married to such present employee before he shall resign or be
16 discharged from the service) shall receive annuity from and after the date of
17 the death of such present employee of an amount equal to the sum produced by
18 multiplying the sum of thirty dollars (\$30.00) by the number of years (not in
19 excess of twenty) of service rendered by such present employee, including the
20 year during which such present employee shall have rendered his final service;
21 provided, that no such widow shall receive annuity of an amount less than a sum
22 equal to seven and one-half ($7\frac{1}{2}$) per cent of the final salary of the present
23 employee concerned.

Sec. 57. Notwithstanding the provisions of any other section or sections
2 of this Act to the effect that any annuity for the widow of a policeman shall be
3 a life annuity, any annuity which shall have been granted to a widow of a police-
4 man under and by virtue of the provisions of this Act shall terminate when such
5 widow shall marry and if any such widow who shall marry shall not have re-
6 ceived, in form of annuity, an amount equal to that accumulated from the
7 sums deducted from the salary of the policeman concerned and applied for the
8 purpose of providing annuity for such widow, a sum equal to the difference
9 between the amount accumulated from the sums deducted from the salary of
10 the policeman concerned and applied for the purpose of providing annuity for
11 such widow and the amount received by such widow in form of annuity shall
12 be refunded to such widow.

Sec. 58. All annuities and disability benefits granted under the provisions
2 of this Act and every portion of such annuities and benefits, shall be exempt
3 from attachment or garnishment process and shall not be seized, taken subjected
4 to, detained, or levied upon by virtue of any execution, or any process or pro-
5 ceeding whatsoever issued out of or by any court in this State, for the payment
6 and satisfaction in whole or in part of any debt, damage, claim, demand, or
7 judgment against any annuitant or other beneficiary hereunder, and no such

8 annuitant or other beneficiary shall have any right to transfer or assign
9 his or her annuity or disability benefit or any part thereof either by way of
10 mortgage or otherwise.

Sec. 59. In the case of any policeman who shall have filed an application
2 for appointment as a member of the police department of such city, the age
3 stated in such application shall be conclusive evidence of the age of such police-
4 man for the purposes of this Act.

Sec. 60. Suitable rooms for offices and meetings of the Retirement Board
2 shall be assigned by the mayor of such city.

Sec. 61. It shall be the duty of all officers, officials, and employees of such
2 city to perform any and all acts, required to carry out the intent and purposes
3 of this Act, which it shall be necessary that any such officer, official, or employee
4 shall perform so that the provisions of this Act may be complied with and the
5 intent and purposes thereof fulfilled.

Sec. 62. If any section, subdivision, sentence or clause of this Act is for
2 any reason held invalid or to be unconstitutional, such decision shall not affect
3 the remaining portion of this Act, or any section or part thereof.

Sec. 63. All laws and parts of laws which are in conflict with or inconsis-
2 ent with this Act, or any provision thereof, are hereby repealed.



1 Introduced by Mr. Shearer, March 23, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For "An Act to amend Sections 2, 4, 5, 6, 7, 10, 11, 18, 24 and 37 of an Act entitled,
'An Act relating to the sale or other disposition of securities and providing
penalties for the violation thereof and to repeal Acts in conflict therewith,'" approved and in force June 10, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 2, 4, 5, 6, 7, 10, 11, 18, 24
3 and 37 of an Act entitled, "An Act relating to the sale or other disposition
4 of securities and providing penalties for the violation thereof and to repeal
5 Acts in conflict therewith," approved and in force June 10, 1919, be amended
6 to read as follows:

Sec. 2. The words and phrases used herein shall, unless the context other-
2 wise indicates, have the following meaning:

3 The word "securities" shall *mean and* include stock, *treasury stock*, bonds,
4 debentures, *investment contracts*, notes, *evidences of indebtedness*, participation
5 certificates, certificates of shares or interest, preorganization certificates and

6 subscriptions, certificates evidencing shares *of or interest* in trust estates or
 7 associations, profit sharing *agreements or* certificates; *or any certificate, con-*
 8 *tract or instrument whatsoever, representing or constituting evidence of, or*
 9 *secured by, title to or interest in, or any lien or charge upon, the capital or*
 10 *any property or assets of the Issuer thereof, and any oil, gas or mining lease,*
 11 *and interests, units or shares in any such lease or leases.*

12 The word "issuer" shall include every person and every company, trust,
 13 partnership or association incorporated or unincorporated heretofore or here-
 14 after formed for any lawful purpose and organized under the laws of this
 15 State or any foreign state or country which shall have issued any security sold
 16 or offered for sale to any person or persons in this State.

17 The word "file" or "filing" within the meaning of this Act, shall mean the
 18 endorsement thereof by the Secretary of State on any statement or document
 19 received of the word "filed" followed by the month, day, year, and name of
 20 Secretary of State, for the purpose of showing that, in his opinion, the issuer,
 21 solicitor, agent, broker, dealer or owner has complied with the provisions of
 22 this Act.

23 The term "sale" shall mean and include contracts and agreements whereby
 24 securities are sold, traded or exchanged for money, property or other thing of
 25 value, or any transfer or agreement to transfer, in trust or otherwise. Any
 26 security given or delivered with, or as a bonus on account of, any purchase of
 27 securities or other thing of value, shall be conclusively presumed to constitute
 28 a part of the subject of such purchase and to have been sold for value. The
 29 term "sell" means any act by which a sale is made and the term "sale" or
 30 "offer for sale" shall include a subscription, an option of sale, a solicitation of
 31 sale, an attempt to sell, or an offer to sell, directly or by an agent, by a circular,
 32 letter or advertising, or otherwise; provided, however, that nothing herein shall
 33 limit or diminish the full meaning of the terms "sale," "sell" or "offer for
 34 sale" as used by or accepted in courts of law or equity.

Sec. 4. Securities in Class "A" shall comprise securities:

- 2 (1) Issued *or guaranteed* by a government or governmental agency, or by
3 anybody having power of taxation or assessment;
- 4 (2) Issued by any National or State bank or trust company, building and
5 loan association of this State, or insurance company organized or under the
6 supervision of the Department of Trade and Commerce of this State;
- 7 (3) Issued *or guaranteed* by any corporation operating any public utility
8 in the United States or any state thereof or in the Dominion of Canada or any
9 province thereof wherein there is or was at the time of issuance thereof in
10 effect any law regulating such utilities and the issue of securities by such cor-
11 poration, and evidences of indebtedness secured by collateral consisting of any
12 securities herein above in this paragraph three (3) described, provided that
13 such collateral securities equal in par value 125% of the par value of the evi-
14 dences of indebtedness so secured;
- 15 (4) Listed and dealt in on the New York, Boston or Chicago Stock Ex-
16 change, respectively, pursuant to official authorization by such exchanges, re-
17 spectively, and securities senior to any securities so listed and dealt in, or
18 guaranteed by any corporation, the common capital stock of which is so listed
19 and dealt in;
- 20 (5) Issued and outstanding in the hands of the public prior to June 10,
21 1919, of corporations whose business has been continuously in operation since
22 that date, provided that financial statements of the issuing corporation ap-
23 peared in any standard manual of securities for the year 1920, approved by the
24 Secretary of State, or provided that quotations of such securities have
25 appeared in tabulated market reports published as news items, and not as adver-
26 tising, in a daily newspaper of general circulation published in the English lan-
27 guage, in any city of two hundred thousand in habitants or over in the State of
28 Illinois, at least once in each month since the month of January, 1919.
- 29 (6) Issued by any corporation organized not for pecuniary profit or or-

ganized exclusively for educational, benevolent, fraternal, charitable or reform-
 atory purposes.

(7) Being notes or bonds secured by mortgage lien upon real estate or
 leasehold (*oil, gas and mining leases excepted*) in any state or territory of the
 United States or in the Dominion of Canada, when the mortgage is a first mort-
 gage on real estate *and does not exceed the fair market cash value of such real*
estate, and when in case it is not *such* first mortgage lien or is on a leasehold,
(oil, gas and mining leases excepted) the mortgage and notes or bonds secured
 thereby (not including interest notes or coupons) shall each bear a legend in red
 characters not less than one-half inch in height, indicating (1) that the mort-
 gage is on a leasehold, if that be the case, and (2) that the mortgage is a
 junior mortgage, if that be the case;

(8) Being a note secured by first mortgage upon tangible or physical prop-
 erty, when such mortgage is assigned with such securities to the purchaser;

(9) Evidencing indebtedness due under any contract made in pursuance to
 the provisions of any statute of any state of the United States providing for the
 acquisition of personal property under conditional sale contract;

(10) Being negotiable promissory notes given for full value and for the
 sole purpose of evidencing or extending the time of payment of the price of
 goods, wares or merchandise purchased by the issuer of such notes in the ordi-
 nary course of business, and commercial paper or other evidence of indebtedness
 running not more than twelve months from the date of issue;

(11) Being subscriptions for *or sales of shares of* the capital stock of a
corporation prior to the incorporation thereof under the laws of *the State of*
Illinois, when no expense is incurred, or no commission, compensation or re-
muneration is paid or given for or in connection with the sale or disposition of
 such securities;

(12) Bonds or notes secured by lien on vessels shown by policies of
 Marine insurance taken out in responsible companies to be of value, after de-

ducting any or all other indebtedness secured by prior lien, of not less than 125% of the par amount of such bonds or notes;

Securities in Class "A" and the sales thereof shall not be subject to the provisions of this Act.

Sec. 5. Securities in Class "B," being exempted sales, shall include:

(1) An isolated sale of any security by a bona fide owner thereof, or his representative, for the owner's account, such sale not being made in the course of repeated and successive transactions of a like character, and such owner not being a broker or dealer in securities or an underwriter of such securities;

(2) Capital stock of a corporation when sold or distributed by it among its stockholders without the payment of any commission or expenses to agents, solicitors or brokers, and without incurring any liability for any expenses whatsoever, in connection with the distribution thereof;

(3) Securities when sold by or to any bank, trust company or insurance company or association organized under the banking or insurance laws of this State or of the United States, or doing business in this State under the supervision of the Department of Trade and Commerce; or of the Auditor of Public Accounts; or by or to any building and loan association organized and doing business under the laws of this State, or any public sinking fund trustees;

(4) Securities when sold to any corporation, or any broker or dealer in securities;

(5) Securities when sold or offered for sale at any judicial, executor's or administrator's sale, or at any sale by a receiver or trustee in insolvency or bankruptcy, or at a public sale by auction held at an advertised time and place.

Securities when disposed of by the persons and in the manner provided by this section, shall not be subject to the provisions of this Act in such transactions; provided, however, that such securities shall not be resold, except as is in this section provided, without compliance with the provisions of this Act.

Sec. 6. Securities in Class "C" shall comprise the following:

Those issued by a person, corporation, firm, trust, partnership or association owning a property, business or industry which has been in continuous operation not less than two years and which has shown *during a period of not less than two years prior to the filing of the statement herein provided for* average annual net profits, exclusive of all prior charges, as follows:

(1) In the case of interest bearing securities, not less than one and one-half times the annual interest charge *thereon and upon all other outstanding interest bearing obligations of equal rank;*

(2) In the case of preferred stock, not less than one and one-half times the annual dividend on such preferred stock *and on all other outstanding stock of equal rank;*

(3) In the case of common stock, not less than 3% per annum upon such common stock *(or in the case of common stock of no par value, upon the price at which the same is, or is to be, offered), and on all other outstanding common stock.*

Sec. 7. Securities in Class "C" may be disposed of, sold or offered for sale upon compliance with the following conditions, and not otherwise:

(a) A statement shall be filed in the office of the Secretary of State:

(1) Describing the evidences of indebtedness, preferred stock or common stock intended to be offered or sold:

(2) Stating the law under which and the time when the issue was organized;

(3) Giving a detailed statement of the assets and liabilities of such issuer and income or profit and loss statement, and giving an analysis of surplus account;

(4) Giving the names and addresses of its principal officers and of its directors or trustees;

(5) Giving pertinent facts, data, and information establishing that the securities to be offered are securities in Class "C."

Such statement shall be verified by the oath of not less than two credible persons having knowledge of the facts. Not less than twenty-five copies of such statement, wholly printed or wholly typewritten, shall at the time of filing the original statement be filed with the Secretary of State. The printed or typewritten copies so filed shall bear at the top in bold face type the expression:

"Securities in Class 'C' under Illinois Securities Law," followed by the expression, also in bold faced type:

"This statement is prepared by parties interested in the sale of securities herein mentioned. Neither the State of Illinois, nor any officer of the State, assumes any responsibility for any statement contained herein nor recommends any of the securities described below."

(b) *By and with the consent and approval in writing of the Secretary of State any security in Class "C" may be offered for sale or sold before the filing of the statement with respect thereto hereinabove in Paragraph (a) of this Section seven (7) referred to, anything in this statute to the contrary notwithstanding, upon there being deposited in the office of the Secretary of State by the issuer or any party interested in the sale of such security:*

1. *A notice briefly describing the securities to be offered and stating the price at which such securities are to be offered to the public, the amount of the issue and the amount to be sold in Illinois;*

2. *The fee with respect to such securities prescribed in section 26 of this statute;*

3. *A copy of the circular to be used in selling or offering for sale such securities;*

4. *Such additional information as may be required by the Secretary of State;*

provided that within thirty days after the deposit of such documents, or within such further time as the Secretary of State may prescribe, there shall be filed in the office of the Secretary of State the statement with respect to such security provided for in Paragraph (a) of this Section seven (7); and further pro-

45 vided, that no issuer or other party shall offer, advertise or sell any such secur-
 46 ity prior to the filing by the Secretary of State of the statement hereinabove
 47 in Paragraph (a) prescribed unless such issuer or other party shall have on file
 48 in the office of the Secretary of State an irrevocable consent and power of
 49 attorney with respect to the sale of Class "C" securities as provided in Section
 50 16 of this Act; and shall also have on file in the office of the Secretary of State
 51 a bond in the sum of \$50,000.00, payable to the People of the State of Illinois,
 52 for the protection, use and benefit of purchasers and of all persons in interest,
 53 executed by a surety or guaranty company authorized to do business in this
 54 State conditioned that in the event the statement with respect to any securities
 55 shall not be filed, as above provided, the obligor in such bond will repay to any
 56 purchaser from such obligor, on demand and tender of such securities, the pur-
 57 chase price paid therefor.

Sec. 10. With the statement required to be filed in the office of the Secre-
 2 tary of State with reference to securities in Class "D," there shall also be
 3 filed an inventory, in such detail as the Secretary of State shall require; show-
 4 ing the assets of the issuer as of a date not more than thirty (30) days prior
 5 to the date of filing thereof. Such inventory shall be accompanied by an
 6 appraisement made by a *disinterested* qualified person or persons *who may be*
 7 *selected by the Secretary of State*, showing the value of the assets described
 8 in such inventory. The person or persons making such appraisement shall state
 9 in such appraisement the character and nature of their experience and their
 10 qualifications to value such property and all the facts or considerations on the
 11 basis of which their estimate of values is predicated.

12 Such appraisement shall be verified by the oath of the person or persons
 13 making the same.

Sec. 11. At any time, either before or after the filing of any statement
 2 required by this Act to be filed with reference to securities in Class "C" or
 3 Class "D" the Secretary of State may designate a certified public accountant to

4 make an examination of the books, records, papers and documents, of the issuer
5 and make a report of the examination thereof to the Secretary of State. The
6 Secretary of State shall fix the compensation of such certified public accountant
7 in advance and shall notify the issuer thereof of the amount so fixed, which com-
8 pensation shall be paid by the issuer to such certified public accountant as his
9 compensation for making such examination.

10 *The Secretary of State may secure information from or through others and*
11 *may make or cause to be made investigations respecting the business, affairs*
12 *and property of the issuer, and in financing by the sale of securities in Class*
13 *“D,” the Secretary of State in his discretion may require that the capital to be*
14 *obtained by such sales, be held intact until the completion of the sale of securi-*
15 *ties, or so much or such portion of the issue to be sold as may in the opinion of*
16 *the Secretary of State prevent loss of such capital or fraud upon the purchasers*
17 *of such securities, and for such purpose take bond to the People of the State of*
18 *Illinois for the use and benefit of such purchasers with sufficient sureties, or*
19 *may accept other safeguards in lieu thereof; and may require financial state-*
20 *ments and reports of the Issuer so often as circumstances appear to warrant.*

Sec. 18. Whenever the Secretary of State refuses to file any statement or
2 document presented under the provisions of this Act, the person presenting such
3 statement or documents for filing may within thirty days thereafter, file a peti-
4 tion in the Circuit Court of Sangamon County, against the Secretary of State,
5 officially as defendant, to review his action in refusing to file such statement
6 or document, alleging therein, under oath, in brief detail, the right of the peti-
7 tioner to sell securities in this State, and praying that the Secretary of State
8 be required to file in his office such statement or document.

9 *If, upon a hearing, the Court shall find upon consideration of the statement*
10 *or document and other pertinent evidence that the sale or offering for sale of*
1 *securities upon the basis, plan or scheme evidenced therein and thereby will not*
2 *work or tend to work a fraud upon the purchaser or purchasers of such securi-*
3 *ties, and shall further find that the Secretary of State wrongfully concluded*

14 *that the sale or offering for sale of such securities would work or tend to work*
 15 *a fraud upon purchasers thereof, and that the petitioner is entitled to the bene-*
 16 *fits of and has complied with the provisions of this Act, the Court may order*
 17 *such statement or document filed.*

18 *Either party to such suit shall have the right to prosecute an appeal from*
 19 *the order or judgment of the court to the Appellate Court. Judgment against*
 20 *the petitioner shall not bar his right to file a new statement or document under*
 21 *the provisions of this Act, nor shall judgment in favor of the petitioner prevent*
 22 *the Secretary of State from thereafter applying for an injunction, or other-*
 23 *wise proceeding, as is provided in this Act. Merely technical irregularities in*
 24 *the procedure of the Secretary of State shall be disregarded and the burden*
 25 *of proof on all questions in controversy shall rest upon the petitioner.*

Sec. 24. (1) In case any statement or document *submitted or filed* in the
 2 office of Secretary of State shall, in the judgment of the Secretary of State,
 3 in any material part thereof be inadequate, insufficient or not in compliance
 4 with this Act, or in case the *basis, plan or scheme* disclosed by such statements
 5 or documents, *adopted or filed*, would, in the judgment of the Secretary of
 6 State, work or tend to work a fraud upon *purchasers*, or if it shall be made
 7 to appear to the Secretary of State, by complaint, *through investigation or*
 8 otherwise, that the statements and documents filed with respect to any securities
 9 are false or *deceptive* in any material particular, or if it shall be made
 10 to appear to the Secretary of State that *insolvency exists or that conditions*
 11 with respect to any such securities have so changed that the further sale or
 12 offering for sale thereof would *work or tend to work* a fraud on *purchasers*
 13 thereof, or that any of the terms and provisions of this Act, *have not been*
 14 complied with, or if it shall appear to the Secretary of State by complaint,
 15 upon investigation or otherwise, that any securities have been sold or are being
 16 offered for sale without compliance with, or in violation of any of the provisions
 17 of this Act, the Secretary of State shall, in the name of the People of the State
 18 of Illinois, through the Attorney General, apply for an injunction in any court

19 of competent jurisdiction to restrain the further sale or offering for sale of
20 such securities; and the court shall have power to restrain the sale or offering
21 for sale of such securities upon such application and may grant injunctions to
22 enforce the provisions of this Act, in addition to the penalties and other remedies
23 in this Act provided; the petitioner shall not be required to give bond
24 in such proceedings.

25 (2) The Secretary of State shall also have the power at any time, after
26 five days notice to the seller of securities, when insolvency exists or when in the
27 opinion of the Secretary of State the further sale of such securities would work
28 or tend to work a fraud upon purchasers thereof, to suspend or cancel permission
29 to sell such securities in this State, and thereafter the sale or offer for
30 sale of such securities shall be unlawful, and may rescind such action when it
31 shall be made to appear that further sales of such securities will not work or
32 tend to work fraud upon purchasers, the order suspending or cancelling such
33 authority to sell securities and any rescission thereof shall be reduced to writing
34 and signed by the Secretary of State; any issuer, corporation or person
35 aggrieved or interested in any such suspension or cancellation order aforesaid
36 shall have the right to have the action and decision of the Secretary of State
37 reviewed by the Circuit Court of Sangamon County, the procedure and rights
38 under this paragraph two (2) of this section shall be governed by the provisions
39 of section 18 of this Act in so far as such provisions may be applied.

40 (3) In no case shall the Secretary of State incur any official or personal
41 liability by instituting injunction or other proceedings, or by the suspension
42 or cancellation of the right or authority to sell securities.

Sec. 37. (1) Every sale and contract of sale made in violation of any of
2 the provisions of this Act shall be void at the election of the purchaser, and the
3 seller of the securities so sold, the officers and directors of the seller, and each
4 and every solicitor, agent or broker of or for such seller, who shall have knowingly
5 performed any act or in any way furthered such sale, shall be jointly and
6 severally liable, in an action at law or in equity, upon tender to the seller or

7 in court of the securities sold, to the purchaser for the amount paid, *the con-*
8 *sideration given or the value thereof*, together with his reasonable attorney's
9 fees in any action brought *for such recovery*.

10 (2) *In an action, civil or criminal, where the seller or issuer relies for*
11 *his defense upon any of the exemptions provided for in this Act, the burden of*
12 *proof to establish such exemption, shall be upon such issuer or seller.*

13 (3) *The Secretary of State shall have the power to make such investiga-*
14 *tions under this Act as he may deem proper and expedient, and to refer any*
15 *complaint, together with information relative thereto, to the proper officers of*
16 *the county in which any violation may have occurred.*

17 (4) *For the purposes of this Act all persons, solicitors, agents, brokers,*
18 *officers and directors of the seller, who shall sell or offer for sale securities in*
19 *violation of the provisions of this Act, or who shall in any manner authorize,*
20 *aid or assist in any unlawful sale or offering for sale, shall be deemed equally*
21 *guilty, and may be tried and punished in the county in which said unlawful sale*
22 *or offering for sale was made, or in the county in which the securities so sold*
23 *or offered for sale, were delivered or proposed to be delivered to the purchaser*
24 *thereof.*

25 (5) *In any prosecution, action, suit or proceeding before any of the several*
26 *courts of this State based upon or arising out of or under the provisions of this*
27 *Act, a certificate under the seal of State, duly signed by the Secretary of State,*
28 *showing compliance or non-compliance with the provisions of the Illinois Securi-*
29 *ties Law, respecting the securities in question or respecting compliance or non-*
30 *compliance with the provisions of the Act by any issuer, solicitor, agent, broker,*
31 *dealer or owner, shall be received and considered by such court as prima facie*
32 *evidence of such compliance or of such non-compliance with the provisions of*
33 *this Act, as the case may be.*



1 Adopted April 6, 1921.

AMENDMENT NO. 1.

Amend the title of House Bill No. 487 to read as follows:

2 "A bill for an Act to amend Sections 2, 4, 5, 6, 7, 10, 11, 18, 24 and 37 of
3 an Act entitled, 'An Act relating to the sale or other disposition of securities
4 and providing penalties for the violation thereof and to repeal Acts in conflict
5 therewith,' approved and in force June 10, 1919."

AMENDMENT NO. 2.

Amend House Bill No. 487, Section 4, paragraph (5), page 3, line 28, by
2 striking out the words "at least once in each month since the month of January,
3 1919" and inserting in lieu thereof the words *at least twelve times in each of*
4 *the years 1919 and 1920, respectively, and at least twelve times during the twelve*
5 *calendar months next preceding the offering for sale thereof."*

AMENDMENT NO. 3.

Amend House Bill No. 487, Section 4, paragraph (7), page 4, line 36, by
2 striking out the comma after the word "estate," and inserting after the word
3 "estate" in said line 36, the following words: "*and the par value of such notes*
4 *or bonds does not exceed the fair market cash value of such real estate, together*
5 *with any portion of the proceeds of such notes or bonds held in trust, for the*
6 *purpose of erecting buildings upon such real estate, pursuant to the terms of*
7 *mortgage, by a corporation organized under the banking laws of the United*
8 *States or of the State of Illinois authorized to execute trusts."*

AMENDMENT NO. 4.

Amend House Bill No. 487, Section 7, paragraph (b), page 7, line 30, by inserting after the word “notwithstanding” and preceding the word “upon,” the words “*such consent to be conditioned.*”

AMENDMENT NO. 5.

Amend House Bill No. 487, Section 18, page 10, line 19, by striking out after the word “court” the words, “to the Appellate Court.”

AMENDMENT NO. 6.

Amend House Bill No. 487 by striking out of line 31 of paragraph 5 of section 37, the words “be received and considered by the court as” and insert in lieu thereof the word “*constitute.*”

AMENDMENT NO. 7.

Amend House Bill No. 487 by adding after the word “be” in the 33d line on page 12 of said bill, the following: “*and shall be admissible in evidence in any action at law or in equity to enforce the provisions of this Act.*”

AMENDMENT NO. 8.

Amend House Bill No. 487, line 33 on page 12 of said bill, by striking out after the word “be” the period and inserting in lieu thereof, a comma.

AMENDMENT NO. 9.

Amend House Bill No. 487, line 51, page 8, by inserting the words “*good and sufficient*” after the word article “a” and before the word “bond”; also by inserting after the word “of” and preceding “\$50,000.00” the words “*not less than.*”

AMENDMENT NO. 10.

Amend printed House Bill No. 487, line 24, page 11, paragraph (1), of Section 24, by striking out the period after the word “proceedings” and following said word add the words: “and either party to such suit shall have the right to prosecute an appeal from the order or judgment of the court.”



1 Offered by Committee on Judiciary, April 27, 1921.

2 Ordered printed.

AMENDMENTS TO HOUSE BILL NO. 487, IN SENATE.

AMENDMENT NO. 1.

Amend Section 2, page 2, line 14, by striking out after the word "formed,"
2 the following words: "for any lawful purpose and organized under the laws of
3 this State or any foreign state or country"; and amend same section, line 15,
4 by inserting after the word "issued," the following words: "or which shall
5 hereafter issue."

AMENDMENT NO. 2.

Amend Section 4, paragraph (7), page 4, by substituting in lieu of said
2 paragraph (7) the following:

3 "(7) Being notes or bonds secured by a mortgage lien upon real estate or
4 leasehold (other than oil, gas and mining leases) in any state or territory of
5 the United States or in the Dominion of Canada: (a) when the mortgage is a
6 first mortgage on real estate and when the aggregate face value of such notes
7 or bonds (but not including interest notes or coupons) secured thereby does not
8 exceed the fair market cash value of such real estate; (b) when the aggregate
9 face value of the notes or bonds (but not including interest notes or coupons)
10 secured by a first mortgage lien upon real estate and buildings, in good faith,
11 forthwith to be erected thereon, according to the terms of the mortgage, does
12 not exceed the fair market cash value of such real estate and buildings and each
13 of such notes or bonds secured thereby (but not including interest notes or

14 coupons) bears across the face and text thereof a legend, in red letters not less
15 than one-half inch in height stating that the note or bond is a construction
16 note or bond; (c) when the mortgage lien is a junior mortgage upon real estate,
17 or is on a leasehold (other than oil, gas and mining leases) and the aggregate
18 face value of such mortgage and notes or bonds secured thereby, together with
19 all other existing prior and or concurrent liens of equal or superior rank, (but
20 not including interest notes or coupons) does not exceed the fair market cash
21 value of such real estate or leasehold, provided, that in case of a junior mort-
22 gage lien on real estate or a mortgage lien on a leasehold the mortgage and
23 notes or bonds secured thereby (but not including interest notes or coupons)
24 shall each bear across the face and text thereof a legend in red letters not less
25 than one-half inch in height, stating (1) that the mortgage is a junior mortgage,
26 if that be the case, and (2) that the mortgage is a leasehold, if that be the case;"



- 1 Introduced by Mr. McCaskrin (by request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit circuit clerks or recorders or deputy of such officers from preparing certain documents and instruments.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* No circuit clerk or recorder of deeds or any deputy of such officers shall prepare or draft any document which is to be filed or recorded in the office in which he is circuit clerk or recorder of deeds or such deputy, except such documents and instruments as they may be, by law, required to draft or prepare.

Sec. 2. Any person violating Section 1 of this Act is guilty of a misdemeanor and shall be fined fifty dollars (\$50.00) for the first offense, and one hundred dollars for the second offense, and if such violation is by a circuit clerk or recorder of deeds, then he may also be removed from his office.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 488

1921

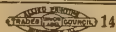


1 Adopted April 20, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 488 on page 1, section 2, by striking out all

2 of the words after the word "offence" in line 3.



- 1 Introduced by Mr. Clark (By request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend Section 42 of "An Act to revise the law in relation to roads and bridges", approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 42, of "An Act to revise the law
3 in relation to roads and bridges", approved June 27, 1913, in force July 1, 1913,
4 as amended, is amended to read as follows:

Sec. 42. TOWN AND DISTRICT ROAD OFFICERS—(A) COMMISSIONER.] In each
2 township in counties under township organization, and in road districts in coun-
3 ties not under township organization, there shall be elected a highway commis-
4 sioner who shall serve for a term of *six (6)* years and until his successor is duly
5 elected and qualified, and who shall be elected in the manner hereinafter pro-
6 vided.

7 (B) CLERK.] In counties under township organization, the town clerk
8 shall act as the clerk for the highway commissioner in each town. In counties not
9 under township organization, there shall be elected in road districts a district

10 clerk who shall hold office for a term of *four (4)* years, and until his successor is
11 elected and qualified.

12 (C) TREASURER.] In counties under township organization the supervisor
13 of each town shall be ex officio treasurer of the road and bridge fund. In coun-
14 ties not under township organization the district clerk shall be ex-officio treasurer
15 of such fund.

16 (D) WHO ELIGIBLE.] No person shall be eligible to the office of highway
17 commissioner unless he shall be a legal voter and has been one year a resident
18 of such town or district. In counties not under township organization the same
19 limitation shall apply to the district clerk; provided, that nothing in this Act shall
20 be construed to authorize the election of a commissioner of highways, or district
21 clerk, in cities and villages in counties not under township organization, that are
22 created road districts. Nor shall anything in this Act be construed as vesting in
23 highway commissioners any power or jurisdiction over the streets and alleys of
24 cities or incorporated towns and villages.



- 1 Introduced by Mr. Bentley (by request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 22 of "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 22 of "An Act in regard to guard-
3 ians and wards," approved April 10, 1872, in force July 1, 1872, as amended,
4 is amended to read as follows:

Sec. 22. It shall be the duty of *every* guardian to keep his ward's money
2 at interest upon security to be approved by the court; or by investing on
3 approval of the court the same in United States Bonds or in the bonds of any
4 county or city which are not issued in aid of railroads and where the laws do
5 not permit said counties or cities to become indebted in excess of 5% of the
6 assessed valuation of the property for taxation therein and where the total in-
7 debtedness of such county or city does not exceed 5% of the assessed valua-
8 tion of property for taxation at the time of such investment *or in the stock of*
9 *a local Building & Loan Association organized under the laws of the State of*

10 *Illinois: or in the stock of any State Bank or Loan & Trust Company, organ-*
11 *ized under the laws of the State of Illinois.* Loans upon real estate shall be
12 secured by first mortgage thereon and not to exceed one-half of the value
13 thereof as fixed by appraisement by order of the court. No mortgage loan
14 shall be made for a longer term than five years nor beyond the minority of
15 the ward providing, the same may be extended from year to year *on payment*
16 *of interest to date of extension* without the approval of the court. The guard-
17 ian shall be chargeable with interest upon any money which he shall wrong-
18 fully or negligently allow to remain in his hands uninvested after the same
19 might have been invested.



Introduced by Mr. Bentley (by request), March 23, 1921.

Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

for an Act to amend Section 4 of "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 4 of "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 4. The guardian of a minor shall have under the direction of the court, the custody, nurture and tuition of his ward, and the care and management of his estate *as hereinafter provided*; but the parents of the minor, if living, and in case of the death of either of the parents, the surviving parent, they being respectively competent to transact their own business and fit persons, shall be entitled to the custody of the person of the minor and the direction of his education. The parents of a minor shall have equal powers, rights and duties concerning the minor. In case the father and mother live apart, the court may, for good reason award the custody and education of the minor

10 to either parent or to some other person. Whenever any person or persons
11 make a settlement upon or provision for the support or education of any minor
12 child, it shall be competent for the court in case either the father or the mother
13 of such child be dead, to make such order in relation to the visitation of such
14 minor child by the person or persons so making such settlement or such provi-
15 sion as shall to the court seem meet and proper, *provided, however, that in*
16 *the care and management of the estate of any ward, the court, at the time of*
17 *the appointment of such guardian, shall designate some State or National bank*
18 *operating in the State of Illinois in which all funds and money of said ward*
19 *or wards shall be deposited and said bank where said funds and money are so*
20 *deposited shall cooperate with said guardian in the management of said fund*
21 *to the extent of jointly executing with said guardian the checks, drafts or other*
22 *instrument by which said money is paid or drawn out of said bank and no such*
23 *check, draft or other instrument shall be executed until an order of the court*
24 *appointing said guardian is deposited with said bank directing the joint execu-*
25 *tion thereof and provided further that no liability shall be assumed by said bank*
26 *on account of cooperating with said guardian in the management of said guard-*
27 *ianship funds and money.*



- 1 Introduced by Mr. Hopp (by request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 13 of "An Act to revise the law in relation to injunctions," approved March 25, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 13 of "An Act to revise the law
3 in relation to injunctions," approved March 25, 1874, in force July 1, 1874, is
4 amended to read as follows:

Sec. 13. *Any person who shall wilfully disobey any lawful writ, process,*
2 *order, rule, decree or command, of any court of competent jurisdiction in this*
3 *State by doing any act or thing therein, or thereby forbidden to be done by him,*
4 *if the act or thing so done by him be of such character as to constitute also*
5 *a criminal offense under any statute or law of the State of Illinois, shall be*
6 *proceeded against for his said contempt as herein provided.*

7 *That whenever it shall be made to appear to any court or judge thereof,*
8 *by the return of a proper officer or lawful process or upon the affidavit of some*
9 *creditable person, that there is reasonable ground to believe that any person*

10 has been guilty of such contempt, the court or judge thereof, or any judge
11 therein sitting, may issue a rule requiring the said person so charged to show
12 cause upon a date certain why he should not be punished therefor, which rule,
13 together with a copy of the affidavit, shall be served upon the person charged
14 with sufficient promptness to enable him to prepare for and make return to the
15 order at the time fixed therein. If upon or by such return in the judgment of
16 the court, the alleged contempt be not sufficiently purged, a trial shall be di-
17 rected at a time and place fixed by the court: Provided, however, that if the
18 accused, being a natural person, fail or refuse to make return to the rule to show
19 cause, an attachment may issue against his person to compel an answer.

20 In all cases within the purview of this Act, such trial may be by the court
21 or judge, or upon demand of the accused, by a jury; in which latter event the
22 court may impanel a jury from the jurors then in attendance, or the court or
23 the judge thereof in chambers may cause a sufficient number of jurors to be
24 selected and summoned, as provided by the statute pertaining to eminent do-
25 main, except that such jurors need not be free holders, to attend at the time
26 and place of trial, at which time a jury shall be selected and impaneled as upon
27 a trial for misdemeanor; and such trial shall conform, as near as may be, to
28 the practice in criminal cases prosecuted by indictment or upon information.



- 1 Introduced by Mr. C. H. Francis, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Section 20 of "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, in force July 1, 1907, as amended, to add Section 20a thereto and to repeal a section thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 20 of "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded food, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, in force July 1,

9 1907, as amended, is amended, and Section 20a is added thereto, the amended and
10 added sections to read as follows:

Sec. 20. THE BABCOCK TEST FOR MILK AND CREAM. SAMPLING OF MILK AND
2 CREAM.] *All milk and cream from which samples are taken for the Babcock test*
3 *for butter fat, shall be thoroughly mixed so that the sample taken is represen-*
4 *tative of the whole mass. The milk or cream must not be so cold as to contain*
5 *any particles of frozen material, or so warm as to melt the butter fat globules,*
6 *when preparing the sample.*

7 The state standard milk measure or pipette shall have for milk a capacity
8 of seventeen and six-tenths (17.6) cubic centimeters *when so filled that the bot-*
9 *tom of the meniscus exactly matches the mark on the pipette which shows the*
10 *required capacity and when the pipette is held vertically.*

11 MILK.] The state standard test bottles for milk shall be graduated to either
12 eight (8) per cent or ten (10) per cent. The eight (8) per cent milk test bottle
13 shall have a capacity of one and six-tenths (1.6) cubic centimeters between zero
14 (0) and eight (8) per cent on the graduated scale marked on the neck thereof.
15 The ten (10) per cent milk test bottle shall have a capacity of two (2) cubic centi-
16 meters between zero (0) and ten (10) per cent on the graduated scale marked on
17 on the neck thereof. The temperature at which tests of the capacity of milk and
18 cream bottles shall be made is twenty (20) degrees centigrade. (68) degrees
19 Fahrenheit.)

20 The reading of the fat column shall be made from the bottom of the fat col-
21 umn to the top of the meniscus on the fat column, and nothing shall be used to
22 level the top of the fat column before making the reading. The temperature of
23 the fat column, at the time of reading, must be one hundred thirty (35) to one
24 hundred forty (140) degrees Fahrenheit.

25 CREAM.] For cream testing, nine (9) or eighteen (18) grams shall be
26 weighed into the test bottle, and the standard nine (9) gram test bottles for cream
27 shall be graduated to have a capacity of one (1) cubic centimeter for each ten (10)
28 per cent of the scale marked on the necks thereof. The standard eighteen (18)

29 gram test bottles for cream shall be graduated to have a capacity of two (2)
30 cubic centimeters for each ten (10) per cent of the scale marked on the neck
31 thereof.

32 Any manufacturer, merchant, dealer, or agent in this State who shall offer
33 for sale or sell a cream or milk pipette or measure test tube or bottle which is
34 not correctly marked or graduated as herein provided, shall be guilty of a mis-
35 demeanor and upon conviction thereof shall be punished as provided in this Act.

36 The weights and balances used to weigh cream for the Babcock shall be cor-
37 rect, and no one shall make a Babcock test for fat in cream by measuring, or in
38 any manner other than by properly weighing the portion to be tested for fat.
39 The fat in the test bottle shall have, at the time the reading is made, a tempera-
40 ture of one hundred thirty-five to one hundred forty degrees Fahrenheit, and
41 before the reading is made, there shall be added to the test bottle, on top of the
42 fat, enough glymol, or colored light mineral oil or similar material to destroy the
43 meniscus. Temperature of glymol, when added, must not be less than one hun-
44 dred thirty-five (135) degrees Fahrenheit. The reading of the per cent of fat
45 shall, in the case of cream be made from the bottom to the top of the fat column
46 in the test bottle, after the meniscus has been destroyed. At the time of reading
47 the test of both milk and cream, the column of the fat from which the reading is
48 taken, shall be clear, and show no charred or curdy matter.

49 The sulphuric acid used in the Babcock test for milk and cream shall have
50 specific gravity of one and eighty-two hundredths (1.82) to one and eighty-three
51 hundredths (1.83) inclusive. The temperature of the materials used in the Bab-
52 cock test must be properly controlled, and the milk or cream and the sulphuric
53 acid and the water must not be so hot or so cold as to make the test inaccurate.

54 Any person, firm, or corporation, who shall buy or sell milk or cream in
55 which the butter fat is determined by a Babcock test that does not conform to
56 the above requirements when the value of said milk or cream is determined by
57 the percent of butter fat contained in the same, shall be guilty of a misdemeanor
58 and upon conviction thereof shall be punished as provided in this Act.

Sec. 20a. BABCOCK TESTING APPARATUS AND SAMPLERS' LICENSES. No person shall operate a milk or cream testing apparatus to determine the percentage of butter fat in milk or cream for the purpose of purchasing the same, either for himself or for another, without first securing a license from the *Department of Agriculture* of this State, authorizing such person to so operate such tester. No person, other than a licensed Babcock operator, shall take samples of milk or cream for the purpose of determining the percentage of fat therein by the Babcock test, without first obtaining a sampler's license. Any person desiring to secure such license, shall make application thereof, on a blank to be prepared and provided by the *said department* and such applicant, before being issued such license, shall pass a satisfactory examination that he is competent and qualified to properly use such tester, or take such samples, and make an accurate test with the same, or take correct samples.

Such *testing apparatus licenses and samplers' licenses* shall be issued for a period of two (2) years from and after the date of issuance, and a fee of one dollar (\$1.00) shall be paid for such *licenses* by the *licensees*, upon the issuance thereof. The *Department of Agriculture*, for just cause, shall have authority to revoke any licenses issued under the provisions of this Act.

The fees collected under the provisions of this section shall be paid into the State treasury, monthly, by the *said department*.

Sec. 2. The section of said Act which is cited as Section 20(b), but which was referred to in the title of the Act, approved June 6, 1911, (Laws 1911, p. 519), by which it was added as Section 20a, is repealed.



1 Introduced by Mr. Lager, March 23, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 1 of "An Act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of "An Act in regard to guard-
3 ians and wards," approved April 10, 1872, in force July 1, 1872, as amended, is
4 amended to read as follows:

Sec. 1. Males *and females* of the age of twenty-one years shall be consid-
2 ered of full age for all purposes; and until *this age* is attained shall be consid-
3 ered minors.



- 1 Introduced by Mr. O'Brien, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act in relation to athletic exhibitions.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That upon the taking effect of this Act
3 the Governor shall appoint three persons to constitute an athletic commission
4 who shall serve without compensation. Of the commissioners herein provided
5 for, one shall be appointed for a period of one year from and after the taking
6 effect of this Act, one shall be appointed for two years from and after the tak-
7 ing effect of this Act, and one for three years from and after the taking effect
8 of this Act, and upon the expiration of the terms of such commissioners the
9 Governor shall appoint their successors, each to serve for a term of three years
10 or until their successors are appointed and qualified. The Governor shall ap-
11 point, and for cause remove, a secretary to the commission, whose duty it shall
12 be to keep a full and true record of all its proceedings and keep the books
13 and records at the general offices of the commission and to perform such
14 other duties as the commission may prescribe. He may, under the direction

15 of the commission, issue subpoenas for the attendance of witnesses before the
16 commission. The salary of the secretary shall be three thousand six hundred
17 (\$3,600) dollars annually, payable in monthly installments. He shall hold office
18 for three years unless removed for cause by the Governor.

Sec. 2. The commission shall maintain offices for the transaction of its busi-
2 ness, in the State Capitol in the City of Springfield, Illinois, and there shall
3 also be an office or offices situated in any portion of the State of Illinois that
4 the commission may designate. Two members of said commission shall consti-
5 tute a quorum for the transaction of business.

Sec. 3. The said commission shall, within thirty days after its appoint-
2 ment and on or before the first day of October of each year thereafter, organ-
3 ize, by appointing one member thereof as its chairman. Said commission may
4 make such rules and regulations as it may deem expedient for the transaction
5 of its business and it may from time to time, amend such rules and regula-
6 tions. Said commission is hereby empowered to appoint such assistants and
7 clerks as it may deem necessary for the proper transaction of its business.
8 The salaries of such employees shall be fixed by said commission. The com-
9 missioners and their employees shall have reimbursed to them all actual and
10 necessary traveling expenses and disbursements incurred by them in the dis-
11 charge of their official duties. The commission may also incur necessary ex-
12 penses for office furniture, stationery, printing, and other incidental expenses.
13 The commission shall make an annual report of all its proceedings to the Gov-
14 ernor on or before the thirty-first day of December in each year, and shall
15 send therewith such recommendations as it shall seem desirable.

Sec. 4. The commission shall have and is hereby vested with the sole direc-
2 tion, management and control of, and jurisdiction over all boxing and sparring
3 matches and exhibitions to be conducted, held or given within this State by
4 any club, corporation or association, and no boxing or sparring match or exhi-
5 bition shall be conducted, held or given within this State except pursuant to the

6 authority of the commission and in accordance with the provisions of this Act.
7 The commission may, in its discretion, issue and at its discretion revoke, a
8 license to conduct, hold or give boxing or sparring matches and exhibitions
9 to any club, corporation or association. No license shall be issued by said com-
10 mission to any club, association or corporation which shall not at the time the
11 application is made therefor have owned or held for at least one year a lease
12 of the building, or grounds wherein it may be proposed to conduct, hold or
13 give such boxing or sparring match or exhibition: *Provided, however,* that an
14 established or incorporated club, corporation or association owning or having
15 and maintaining a lease of a club house or headquarters in the city in which
16 the proposed boxing or sparring match or exhibition is to be conducted, held
17 or given, may give the same in such club house or headquarters, or may for
18 the purpose, secure the use of any public hall, auditorium, or theatre within
19 the city. Every license shall be subject to such rules and regulations, and
20 amendments thereof, as the commission may prescribe, which shall not be in-
21 consistent with this Act.

Sec. 5. Every application for a license as herein provided for, shall be
2 in writing and shall be addressed to the commission, and shall be verified by
3 some officer of the club, corporation or association on whose behalf the applica-
4 tion may be made. Such application shall be accompanied by an annual fee
5 which shall be twenty-five dollars (\$25.00) in cities of not more than five thou-
6 sand inhabitants; fifty dollars (\$50.00) in cities of not more than fifty thousand
7 inhabitants; one hundred dollars (\$100.00) in cities of not more than one hun-
8 dred thousand inhabitants; and in cities of the State having a population of
9 over a million inhabitants, clubs having a seating capacity of less than two
0 thousand (2,000) shall pay two hundred and fifty dollars (\$250.00) and clubs
1 having a seating capacity of over two thousand (2,000) shall pay a license
2 fee of five hundred dollars (\$500.00) per annum.

Sec. 6. All the buildings or structures used, or intended to be used for
 2 the purpose of this Act shall be properly ventilated and provided with fire exits
 3 and fire escapes, if need be, and in all manner conform to the laws, ordinances
 4 and regulations pertaining to buildings in the city, town or village where
 5 situated.

Sec. 7. Every club, corporation or association which may hold or exercise
 2 any of the privileges conferred by this Act, shall, within twenty-four hours
 3 after the determination of every contest, furnish to the commission, a written
 4 report duly verified by one of its officers, showing the number of tickets sold
 5 for such contest and the amount of the gross proceeds thereof, and such other
 6 matters as the commission may prescribe, and shall also within the said time
 7 pay to the State Treasurer, a tax of five per centum of its total gross receipts
 8 from the sale of tickets of admission to such boxing or sparring match or exhi-
 9 bition, which tax shall be placed to the credit of the general fund of the State.
 10 Before any license shall be granted to any club, corporation or association to
 11 conduct, hold or give any boxing or sparring match or exhibition, such appli-
 12 cant therefor shall execute and file with the State Treasurer, a bond in the sum
 13 of five thousand dollars (\$5,000), to be approved as to form, and the sufficiency
 14 of the sureties thereon, by the State Treasurer conditioned for the payment of
 15 the tax hereby imposed. Upon the filing and approval of such bond, the State
 16 Treasurer shall issue to such applicant for such license, a certificate of such
 17 filing and approval, which shall be by such applicant filed in the office of the
 18 commission with its application for such license and no license shall be issued
 19 until such certificate shall have been filed.

Sec. 8. Whenever any such club, corporation or association shall fail to
 2 make a report of any contest at the time prescribed by this Act, or whenever
 3 such report is unsatisfactory to the State Treasurer, he may examine or cause
 4 to be examined the books and records of such club, corporation or associa-
 5 tion, and subpoena and examine under oath its officers and other persons as

6 witnesses for the purpose of determining the total amount of its gross receipts
7 for any contests and the amount of tax due pursuant to the provisions of this
8 Act, which tax he may upon and as the result of such examination fix and de-
9 termine. In case of the default in the payment of any tax so ascertained to
10 be due, together with the expenses incurred in making such examinations, for a
11 period of twenty days after notice to such delinquent club, corporation or asso-
12 ciation of the amount at which the same may be fixed by the State Treasurer,
13 such delinquent shall forfeit its license and license fee and shall thereby be
14 disqualified from receiving any new license and it shall, in addition, forfeit to
15 the People of the State of Illinois the sum of five hundred dollars (\$500.00),
16 which may be recovered by the Attorney General in the name of the People of
17 the State of Illinois in the same manner as other penalties are by law
18 recovered.

Sec. 9. The commission shall appoint official representatives designated
2 as inspectors, each of whom shall receive from the commission, a card author-
3 izing him to act as such inspector, wherever the commission may designate him
4 to act. An inspector shall be present at all boxing or sparring matches or
5 exhibitions, and see that the rules of the commission, and the provisions of
6 this Act are strictly observed, and shall also be present at the counting up of
7 the gross receipts, and shall immediately mail to the commission the official box
8 office statement received by him from the officers of the club, corporation or
9 association.

Sec. 10. No boxing or sparring match or exhibition shall be held on
2 Sunday.

Sec. 11. No person under the age of eighteen years shall be permitted
2 to participate in any such boxing, sparring match or exhibition.

Sec. 12. No intoxicating liquors shall be given away, sold or offered for
2 sale in any building, or any part thereof, in which boxing or sparring matches
3 or exhibitions are being conducted.

4 No gambling, betting or wagering of any character at any boxing or spar-
5 ring match or exhibition shall be permitted by any club or organization before,
6 after, or during any such contest, on the result, in the building where such
7 contest is held.

Sec. 13. Each contestant shall be examined prior to entering the ring, by
2 a physician appointed by the commission who has been licensed and has prac-
3 ticed in the State of Illinois for not less than five years. The physician shall
4 certify in writing over his signature, as to the contestant's physical condition
5 to engage in such contest and said physician shall be in attendance during said
6 contest. Said physician shall file said report of examination with the commis-
7 sion within a period of twenty-four hours after the contest. Blank forms
8 of physicians' reports, shall be furnished to the physicians, by the commission.
9 and all questions on blank forms must be answered in full.

10 No boxing or sparring match or exhibition shall be of more than ten
11 rounds duration, and no one round of such exhibition shall be permitted to ex-
12 tend for a longer period than three minutes.

13 There shall be not less than one minute intermission between each round.

14 No contestant shall in any such boxing or sparring match or exhibition
15 wear, or be permitted to wear, padded of standard make, gloves weighing less
16 than five ounces, for contestant weighing one hundred and fifty-eight pounds and
17 under, and six ounces for contestants over one hundred and fifty-eight pounds.

18 No decision shall be rendered in any contest held under the provisions of
19 this Act.

Sec. 14. No contestant shall be permitted to participate in any boxing
2 or sparring match or exhibition, unless duly registered and licensed with said
3 commission; the license fee to be five (\$5) dollars per annum.

Sec. 15. The commission shall, upon application, grant licenses to compe-
2 tent referees, who shall be *bona-fide* residents of the State of Illinois, having
3 resided in the State one year, and may revoke any such license, granted to

4 any referee, upon such cause as the commission may deem sufficient, and no per-
5 son shall be permitted to act as referee unless holding such license. The
6 application for license as a referee shall be accompanied by an annual fee,
7 which shall be twenty-five (\$25) dollars. The commission shall appoint from
8 among such licensed referees, the referee for all contests under this Act.

Sec. 16. All fees received by the commission under the provisions of this
2 Act shall be turned over to the State Treasurer and placed to the credit of the
3 general fund of the State.

Sec. 17. All clubs, corporations or associations must notify the secretary
2 of the commission in writing of the date of each and every boxing, sparring
3 match or exhibition to be held by said club, corporation or association, at least
4 forty-eight hours prior to the holding of such boxing, sparring match or
5 exhibition.

Sec. 18. Any club, corporation or organization which shall conduct, hold,
2 give or participate in any sham or fake boxing or sparring match or exhibition,
3 shall thereby forfeit its license, and license fee, and its license shall thereupon,
4 by the commission, be cancelled and declared void, and it shall not thereafter
5 be entitled to receive another license or any license, pursuant to the provi-
6 sions of this Act, nor shall any such license be issued to any club or organiza-
7 tion which has among its officers any person who belonged to a club or organi-
8 zation which has had its license revoked.

Sec. 19. Any contestant who shall participate in any sham or fake box-
2 ing, sparring mach or exhibition, shall be penalized in the following manner:
3 For the first offense he shall be restrained for a period of six months, such
4 period to begin immediately after the occurrence of such offense, from par-
5 ticipating in any boxing, sparring match or exhibition to be held or given by
6 any club, corporation or association duly licensed to give or hold such boxing,
7 or sparring match or exhibition; for a second offense he shall be totally dis-

8 qualified from further admission to or participation in any boxing, or sparring
9 match or exhibition held or given by any club, corporation or association duly
10 licensed for said purposes.

Sec. 20. Whenever any boxing, sparring match, or exhibitions are held at
2 any public playgrounds, gymnasiums, schools, universities, Young Men's Chris-
3 tian Associations or under the auspices of the Amateur Athletic Union and
4 American Amateur Federation, where no admission fee is charged the license
5 fee and tax necessary under this Act shall not be required.

Sec. 21. Any person who violates any of the provisions of this Act, for
2 which a penalty is not herein expressly prescribed, shall be guilty of a mis-
3 demeanor.

Sec. 22. The provisions of section 235 and 236 of an Act entitled, "An
2 Act to revise the law in relation to criminal jurisprudence," approved March
3 27, 1874, in force July 1, 1874, shall not apply to any boxing, sparring match
4 or exhibition conducted, held or given by any club, corporation or association
5 duly licensed in accordance with the provisions of this Act.



- 1 Introduced by Mr. Fahy, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the holding of primary elections by political parties." (Approved March 9, 1910, in force July 1, 1910), and as subsequently amended, by amending Section one (1) of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section one (1) of an Act entitled,
3 "An Act to provide for the holding of primary elections by political parties,"
4 (approved March 9, 1910, in force July 1, 1919), and as subsequently amended,
5 be an dthe same is hereby, amended to read as follows: The nomination of can-
6 dates by political parties, as defined by Section 2 of this Act, for the following
7 elective offices, shall be made at a primary election to be held as provided by this
8 Act, and not otherwise: All elective State officers (except trustees of the Univer-
9 sity of Illinois); representatives in Congress from each congressional district;
10 county judge; probate judge; county clerk; probate clerk; clerk of the circuit
11 court; clerk of the Superior Court of Cook County; recorder of deeds; county aud-
12 itor; county treasurer; sheriff; trustees of sanitary districts; coroner; State's at-
13 torney; county superintendent of schools; county surveyor; county commission-

14 ers in counties of the first and second class not under township organization; mem-
15 bers of the board of assessors; members of the board of review in counties of
16 the third class; presidents of boards of trustees of sanitary districts; 'county
17 commissioners of Cook County; president of the county board of Cook County;
18 clerk of the Criminal Court of Cook County; all elective officers in cities, and in-
19 corporated towns and villages having a population of five thousand or more as
20 determined by the then last preceding Federal census; township officers in
21 townships co-extensive with cities and incorporated villages and towns having
22 a population of ten thousand or more, as determined by the then last preceding
23 Federal census.

24 The nomination of all other candidates for State, congressional, judicial,
25 county, city and district officers, by political parties, as defined in Section 2 of
26 this Act, shall be made by convention of delegates or caucus in accordance with
27 the provisions of an Act entitled, "An Act to provide for the printing and dis-
28 tribution of ballots at public expense and for the nomination of candidates for
29 public offices ,to regulate the manner of holding elections, and to enforce the se-
30 crecy of the ballot," approved June 22, 1891, in force July 1, 1891, and all Acts
31 amendatory thereof.



1 Adopted April 26, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 496 by striking out all after the enacting clause and
2 inserting in lieu thereof, the following:

3 Section one of an Act entitled, "An Act to provide for the holding of primary
4 elections by political parties," approved March 9, 1910, in force July 1, 1910, as
5 subsequently amended, is amended to read as follows:

6 Section 1. The nomination of all candidates for all elective, State, congres-
7 sional, county, city and village (including officers of the municipal court of Chi-
8 cago), town and judicial officers, clerks of the appellate courts, trustees of sani-
9 tary districts, township officers in townships co-extensive with cities, incorpor-
10 ated towns or villages, and for the election of precinct, ward and State central
11 committeemen, and delegates and alternate delegates to national nominating con-
12 ventions, by all political parties, as defined by Section 2 of this Act, shall be made
3 in the manner provided in this Act, and not otherwise: *Provided*, this Act shall
4 not apply to the nomination of candidates for electors of President and Vice-
5 President of the United States, and trustees of the University of Illinois: *And*,
6 *provided, further, that this Act shall not apply to the nomination of any candi-*
7 *dates for office in cities, incorporated towns, and villages having a population*
8 *not to exceed five thousand inhabitants, as determined by the then last preceding*
9 *Federal census: And provided, further, that this Act shall not apply to school*
0 *elections and township elections other than in townships co-extensive with*

21 cities, incorporated towns or villages. The words "township officers" or "town-
22 ship offices" shall be construed when used in this Act to include supervisors and
23 assistant supervisors.

24 *The nomination of all other candidates for office by political parties, as de-
25 fined in Section 2 of this Act, shall be made by convention of delegates or
26 caucus, in accordance with the provisions of an Act entitled, "An Act to provide
27 for the printing and distribution of ballots at public expense and for the nomina-
28 tion of candidates for public offices, to regulate the manner of holding elections,
29 and to enforce the secrecy of the ballot," approved June 22, 1891, in force July
30 1, 1891, and all Acts amendatory thereof.*



- 1 Introduced by Mr. Hopp (by request), March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 1 of "An Act to provide a trial by jury in all cases where a judgment may be satisfied by imprisonment," approved June 17, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* Section 1 of "An Act to provide a trial
3 by jury in all cases where a judgment may be satisfied by imprisonment,"
4 approved June 17, 1893, in force July 1, 1893, is amended to read as follows:

Sec. 1. No person shall be imprisoned for non-payment of a fine or a judg-
2 ment in any civil, criminal, quasi-criminal or qui tam action, except upon con-
3 viction by jury: *Provided*, that the defendant or defendants in any such ac-
4 tion may waive a jury trial by executing a formal waiver in writing: *And*,
5 *provided, further*, that this provision shall not be construed to apply to fines
6 inflicted for contempt of court *committed in the presence of the court*: *And*,
7 *provided, further*, that when such waiver of jury is made, imprisonment may
8 follow judgment of this court without conviction by a jury.



- 1 Introduced by Mr. Healy, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

A BILL

For an Act to amend Section 29a of "An Act relating to the civil service in park systems," approved June 10, 1911, in force July 1, 1911, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 29a of "An Act relating to the
3 civil service in park systems," approved June 10, 1911, in force July 1, 1911, as
4 amended, is amended to read as follows:

Sec. 29a. Persons who were engaged in the military or naval service of the
2 United States during the years 1861, 1862, 1863, 1864, 1865, 1898, 1899, 1900, 1901,
3 1902, 1914, 1915, 1916, 1917, 1918 or 1919, and who were honorably discharged
4 therefrom, and all persons who were engaged in such military or naval service
5 during any of said years, who are now or may hereafter be on inactive or re-
6 serve duty in such military or naval service, and also all persons who are citizens
7 of Illinois, who, during the World War, were engaged in the military or naval
8 service of the allies of the United States, who were honorably discharged there-
9 from, not including however, persons who were convicted by court martial of

10 disobedience of orders, where such disobedience consisted in the refusal to per-
11 form military service on the ground of alleged religious or conscientious objec-
12 tions against war, shall be preferred for appointment to civil offices provided
13 they are found to possess the business capacity necessary for the proper dis-
14 charge of the duties of such office; *provided, however, that this shall not apply to*
15 *promotions, but in such promotions such person or persons shall be given addi-*
16 *tional credit in the promotional examination fo one per cent (1%) (on the basis*
17 *of 100%) for each six months or fraction thereof of such military or naval ser-*
18 *vice; provided further, that such additional credit shall not be computed so as to*
19 *increase or decrease the rating allotted to any person competing in such exam-*
20 *ination for ascertained merits (efficiency) or sniority in service. And provided*
21 *further, that no person shall be given such additional credits in the promotional*
22 *examination for more than eighteen months of such military or naval service.*



- 1 Introduced by Mr. Lyon, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 1 and 3 of "An Act in regard to tax title and providing for the reconveyance of tax titles and fixing a penalty for failure or refusal to reconvey," approved June 14, 1909, in force July 1, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 1 and 3 of "An Act in regard
3 to tax title and providing for the reconveyance of tax titles and fixing a pen-
4 alty for failure or refusal to reconvey," approved June 14, 1909, in force July
5 1, 1909, as amended, are amended to read as follows:

Sec. 1. Whenever the grantee of a tax deed to real estate, or any one
2 claiming thereunder, shall not be in possession or occupation of said premises
3 so claimed and shall not take or institute proceedings in good faith to take
4 possession within one year after the date of the first tax deed under his
5 alleged tax title, or whenever the grantee of a tax deed to real estate or any
6 one claiming thereunder shall suffer the same to be forfeited to the State or

7 again sold for taxes or special assessments before he has completed the pay-
 8 ment of all taxes and special assessments legally assessed thereon for seven
 9 consecutive years, then it shall be lawful for the owner of said real estate
 10 or his agent or attorney to pay or tender said tax title holder the amount of
 11 moneys paid out and expended by said tax title holder upon said sale with
 12 seven per cent (7%) interest per annum thereon, together with subsequent taxes
 13 and special assessments paid and the statutory fees and costs incurred, and that
 14 upon such payment or tender the said tax title holder shall reconvey the prem-
 15 ises aforesaid to the owner thereof. The amount of such tender may be based
 16 upon an estimate prepared by the county clerk.

17 In preparing such estimates, the county clerk shall include, in addition to
 18 the amount of moneys herein provided for, the following fees to the tax title
 19 holder:

20 For preparing the affidavits of compliance with law, \$1.00.

21 For service of the notices provided by law, which must be served by
 22 holders of certificates of sale, to occupants, owners or parties interested in real
 23 estate sold for taxes, the sum of not to exceed \$3.00 for each lot, block, tract
 24 or piece of land, as listed, assessed and sold in one description.

25 For recording the tax deed, the actual cost of same, as ascertained from
 26 the recorder of deeds.

27 The county clerk shall be entitled to a fee of \$1.00 for preparing the esti-
 28 mate herein provided, and such estimate of the county clerk shall be *prima facie*
 29 evidence in all courts of the amount due said tax title holder.

30 *The owner of said real estate, or his agent or attorney may, at his option,*
 31 *deposit the amount of said estimate so furnished by the county clerk, with the*
 32 *county treasurer.*

Sec. 3. Upon the affidavit or proof of tender, *or of deposit with the*
 2 *county treasurer,* being made, as provided by section 1 of this Act, the county
 3 court in the same proceeding wherein the sale upon which said deed issued
 4 may order, upon the service of such notice as the court shall direct, the amount

5 of said tender deposited with the county treasurer, *unless the amount of said*
6 *tender has already been so deposited*, and that the sheriff or any master in
7 chancery in said county made, in the name of the holder of such title, convey
8 the premises to the owner thereof.

9 Whenever the tax purchaser makes application to withdraw moneys de-
10 posited with the county treasurer, he shall deliver to the county treasurer a
11 reconveyance of said tax title to the owner who made said deposit.



1 Introduced by Mr. Thon, March 23, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime or offenses, and providing for a system of parole and to repeal certain Acts and parts of Acts herein named," approved June 25, 1917, in force July 1, 1917, as amended, by adding Sections 3a, 3b and 3c.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* "An Act to revise the law in relation to
3 the sentence and commitment of persons convicted of crime or offenses, and
4 providing for a system of parole and to repeal certain Acts and parts of Acts
5 herein named," approved June 25, 1917, in force July 1, 1917, as amended, is
6 amended by adding thereto three new sections to be known as Sections 3a,
7 3b and 3c, to read as follows:

Sec. 3a. That every application for parole must be accompanied by the
2 certificate of a competent alienist, neurologist or psychiatrist to the effect that
3 the person applying for parole is of normal mind without criminal propensi-

4 ties and if released will not be a danger to the life, property or welfare of
5 others. A copy of such certificate shall be sent to the State's Attorney of the
6 county from which such prisoner was committed and such State's Attorney
7 shall be given opportunity to cross examine the person making such certificate
8 and rebut the same if he so desires. The Superintendent of Pardons and Pa-
9 roles may conduct hearings to determine the mentality of persons applying for
10 parole in accordance with such rules as he may adopt.

Sec. 3b. A person of criminal propensities and of abnormal mind so de-
2 ficient in appreciating the result of a criminal act, such as a felony or mis-
3 demeanor, that while at large such person is a danger to the life, property
4 or welfare of others, or any person classified as a mental defective within the
5 meaning of an Act entitled, "An Act providing for the prevention of crime
6 by the segregation of mental defectives with criminal propensities," shall not
7 be granted parole.

Sec. 3c. Whenever the State's Attorney of the county from which any per-
2 son has been committed complains to the Superintendent of Pardons and Pa-
3 roles that any person paroled before the passage of this Act, is of deficient
4 mind as defined in Section 3b of this Act, it shall be the duty of such Super-
5 intendent to immediately revoke the parole of such person and conduct an in-
6 vestigation into his mentality under such rules and regulations as he may
7 adopt. If the Superintendent finds that such person is a mental defective as de-
8 fined in Section 3b of this Act, he shall not thereafter extend parole to such
9 person but shall hold such person for commitment to an appropriate institu-
10 tion in such manner and form as may be prescribed by law.



Introduced by Mr. Thon, March 23, 1921.

Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to repeal "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," filed July 7, 1885, as amended, and to dissolve companies incorporated under said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons,"* filed July 7, 1885, as amended, is repealed.

Sec. 2. Companies heretofore incorporated under the provisions of said Act are dissolved and the rights, duties and privileges vested in them by said Act are withdrawn and terminated.



- 1 Introduced by Mr. Thon, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 40a to "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereof," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 40a is added to "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended, this section to read as follows:*

Sec. 40a. *Justices of Peace and Police Magistrates shall be entitled to compensation as follows: in counties of the first class not more than one thousand, two hundred dollars (\$1,200.00) annually; in counties of the second class not more than one thousand, eight hundred dollars (\$1,800.00) annually; in counties of the third class not more than two thousand, four hundred dollars (\$2,400.00) annually. All fees, perquisites and emoluments in excess of the amount of compensation above prescribed, received by these officers shall be paid into the county*

8 treasuries of their respective counties. These officers shall keep full, true and
9 correct accounts of all fees collected by them and make a semi-annual report of
10 the same to the county boards of their respective counties, these reports to be
11 made at such times as the county boards may designate.



- 1 Introduced by Mr. Griffin, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to repeal an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, as amended by subsequent Acts, by repealing the whole of Part IV of Article XII; by adding to Part II of Article XII one new section to be known as Section 8; and by adding to Article XII two new parts to be known as Parts Four and Five," approved June 28, 1919, in force July 1, 1919, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to amend an Act entitled, 'An Act to provide for the incorporation of cities and villages,' approved April 10, 1872, as amended by subsequent Acts, by repealing the whole of Part IV of Article XII; by adding to Part II of Article XII one new section to be known as Section 8; and by adding to Article XII two new parts to be known as Parts Four and Five," approved June 28, 1919, in force July 1, 1919, as amended, are repealed.



- 1 Introduced by Mr. Tice, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities
and Transportation.

A BILL

For an Act to amend Section 55 of an Act entitled, "An Act to provide for the regulation of Public Utilities," approved June 30, 1913, in force January 1, 1914, and Acts amendatory thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 55 of an Act entitled, "An Act to provide for the regulation of Public Utilities," approved June 30, 1913, in force January 1, 1914, and Acts amendatory thereto, be and the same is hereby amended to read as follows:

Sec. 55. CERTIFICATE OF CONVENIENCE AND NECESSITY.] No public utility shall begin the construction of any new plant, equipment, property or facility which is not in substitution of any existing plant, property or facilities or in extension thereof or in addition thereto, unless and until it shall have obtained from the commission a certificate that public convenience and necessity require such construction.

7 No public utility not owning any city or village franchise nor engaged in
8 performing any public service or in furnishing any produce or commodity
9 within this State at the time this Act goes into effect shall transact any busi-
10 ness in this State until it shall have obtained a certificate from the commission
11 that public convenience and necessity require the transaction of such business.

12 Whenever after a hearing the commission determines that any new con-
13 struction or the transaction of any business by a public utility will promote the
14 public convenience and is necessary thereto it shall have the power to issue cer-
15 tificates of public convenience and necessity.

16 Such certificates shall be altered or modified by the commission, upon its
17 own motion or upon application by the person or corporation affected. Unless
18 exercised within a period of two years from the grant thereof authority con-
19 ferred by a certificate of convenience and necessity issued by the commission
20 shall be null and void: *Provided, however, that the provisions of this section*
21 *shall not apply to any person, firm or corporation which owns, controls, oper-*
22 *ates or manages directly or indirectly for public use any plant, equipment or*
23 *property used for or in connection with the transportation of persons or prop-*
24 *erty by motor vehicle or other conveyance operating upon the public highways*
25 *between any points within this State.*



- 1 Introduced by Mr. Krump, March 23, 1921.
2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to repeal “An Act to amend an Act entitled, ‘An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons’, returned by the Governor July 7, 1885, to the Secretary of State without his approval or veto and is therefore now in force”, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* “An Act to amend an Act entitled, ‘An
3 Act to authorize the formation of companies for the detection and apprehension
4 of horse thieves and other felons’, returned by the Governor July 7, 1885, to the
5 Secretary of State without his approval or veto and is therefore now in force”,
6 in force July 1, 1887, is repealed.



- 1 Introduced by Mr. F. J. Ryan, March 23, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend paragraph nineteen of an Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named, approved February 25, 1898, and in force July 1, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That paragraph nineteen of an Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named, approved February 25, 1898, and in force July 1, 1898, be amended to read as follows:

SCHEDULE—PENALTY FOR NOT MAKING. P. 19. The assessor shall require every person to make, sign, and swear to the schedule provided for by this Act. If any person shall refuse to make the schedule herein required, or to subscribe and swear to the same, the assessor shall list the property of such person according to his best knowledge, information and judgment, at its fair cash value, and shall add to the valuation of such list an amount equal to fifty per cent of such valuation. *Any person so required to list personal property who shall refuse,*

13 *neglect or fail when requested by the proper assessor, so to do, shall be deemed*
14 *guilty of a felony and on conviction thereof shall be imprisoned in the peniten-*
15 *tiary for not less than one year nor more than five years, and the several assess-*
16 *ors shall report such refusal, neglect or failure to the State's Attorney, whose*
17 *duty it is to prosecute the same. Whoever in making such schedule shall wilfully*
18 *swear falsely in any material matter shall be guilty of perjury and punished ac-*
19 *cordingly.*



- 1 Introduced by Committee on Waterways, March 24, 1921.
- 2 Read at large a first time, ordered printed and referred to Committee on
Appropriations.

WHEREAS, The State of Indiana passed an Act for the establishment of an
2 Interstate Harbor Commission, to investigate and report upon the feasibility
3 of a public interstate harbor, at or near Wolf Lake and Lake Michigan, lying
4 partly in the cities of Hammond and Whiting, Indiana, and partly in the city
5 of Chicago, Illinois, being chapter 187 of the Acts of Indiana, approved March
6 10, 1921; and

7 WHEREAS, It was enacted in such Acts of Indiana, that a commission, com-
8 posed of five commissioners, be appointed, two commissioners by the Governor
9 of the State of Indiana, two commissioners by the Governor of the State of
10 Illinois, and one commissioner by the chief of engineers of the United States
11 of America and the Secretary of War; and

12 WHEREAS, Under the said Act of the State of Indiana, such Interstate
13 Harbor Commission is not to become effective until similar legislation is
14 enacted by the General Assembly of the State of Illinois. And it was further
15 enacted in the said Act of Indiana, that the General Assembly of the State of
16 Illinois be requested to take similar action for the purposes of carrying out the
17 provisions of said Act and co-operating with the State of Indiana for such
18 purposes; and

19 WHEREAS, It appeared that in the Calumet region in the Chicago district
20 of Illinois and Indiana, there is much advancement and progress in lake, river
21 and rail commerce, which is not only local but also interstate; and

22 WHEREAS, The location is at the end of the deep water navigation of the
23 Great Lakes and the Illinois and Mississippi Rivers and other waterways; and

24 WHEREAS, With the opening of the St. Lawrence waterway, the proposed
25 harbor will become available to vessels from ocean ports of the world; and

26 WHEREAS, Said location is approximately situated in the center of popula-
27 tion of the United States, and within a distance of the greatest railroad center
28 of the world, and the site is ideally adapted for the development and operation
29 of a public interstate transfer harbor; and

30 WHEREAS, The United States engineers, recognizing the necessity and feasi-
31 bility of the proposed public interstate harbor, having prepared plans for the
32 same, contemplating the construction by the United States of an outward pro-
33 tecting breakwater in Lake Michigan, approximately three and one-half miles
34 in length, at a cost of approximately six million dollars (\$6,000,000), and
35 dredging operations by the United States shoreward of said breakwater in and
36 to the proposed inner basin in Wolf Lake, at an additional cost, providing
37 that suitable co-operative harbor construction in and near said Wolf Lake be
38 undertaken and performed by another proper public body, said plans having
39 been approved by the chief of engineers and the secretary of war; and

40 WHEREAS, It is desirable that additional information and data be secured
41 by the General Assembly of the State of Illinois before proceeding upon the
42 appointment of a harbor board or arranging otherwise for the development
43 and construction of such proposed public interstate harbor; therefore the fol-
44 lowing is proposed:

A BILL

For an Act to create an Interstate Harbor Commission.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there is hereby created a commis-
3 sion, to be known as the Interstate Harbor Commission of Illinois, consisting
4 of two members, to be appointed by the Governor of the State of Illinois, for
5 the purpose of investigating and reporting upon the feasibility of a proposed
6 public interstate harbor, a proposed plan therefor, the estimated cost of, the
7 proposed method of development and management, its estimated receipts and
8 operating expenses, and all other data pertaining to said project.

Sec. 2. Such commissioners shall co-operate with the commissioners
2 appointed by the Governor of the State of Indiana, pursuant to chapter 187 of
3 the Acts of Indiana, approved by that State March 10, 1921, and with the com-
4 missioner who may be appointed and designated by the chief engineer of the
5 United States and the Secretary of War. The members of said commission
6 shall serve without compensation, but shall be reimbursed for their actual trav-
7 eling and other expenses incurred in the performance of their duties.

Sec. 3. The said commissioners shall co-operate with the commissioners
2 appointed by the Governor of the State of Indiana and with the commissioner
3 appointed by the chief engineer of the United States and the Secretary of War,
4 in the election of such officers of said joint commission, as shall be determined
5 by said joint commission when organized, and also in the establishment of such
6 headquarters as shall be determined by said joint commission.

Sec. 4. The said commission hereby created, shall employ such engineer-
2 ing, legal, clerical and other assistants as may be necessary to conduct such in-
3 vestigation, and shall prepare and present to the General Assembly of the State
4 of Illinois and the State of Indiana and to the chief engineer of the United
5 States and the Secretary of War, a full and detailed report of the result of its
6 investigation and recommendations.

Sec. 5. There is hereby appropriated to the said Illinois commission, the
2 sum of twenty-five thousand dollars (\$25,000) out of any moneys in the State
3 Treasury, not otherwise appropriated, for the purposes of such investigation,
4 as herein defined.

Sec. 6. This appropriation is subject to the provisions of "An Act in
2 relation to State finance," approved June 10, 1919, in force July 1, 1919.



1 Adopted June 8, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 507, line 1 of the preamble by changing the last
2 word from "an" to "the."

AMENDMENT NO. 2.

Amend House Bill No. 507, line 2, by inserting after the word "commis-
2 sion" the words "of Illinois and Indiana."

AMENDMENT NO. 3.

Amend House Bill No. 507, line 27, by striking out the words "within a
2 distance of" and inserting in lieu thereof the word "at."

AMENDMENT NO. 4.

Amend House Bill No. 507, line 31, by striking out the word "having"
2 and substituting for it the word "have."

AMENDMENT NO. 5.

Amend House Bill No. 507, line 36, by correcting the typographical errors
2 changing "basis" to "basin" and "Walf" to "Wolf."

AMENDMENT NO. 6.

Amend House Bill No. 507, line 44, by correcting typographical the errors
2 in the last word, making it "proposed."

AMENDMENT NO. 7.

Amend House Bill No. 507, the title of the bill on page 3, changing the word
 2 “an” to the word “The” and adding after the word “commission” the follow-
 3 ing: “of Illinois and Indiana and making an appropriation therefor.”

AMENDMENT NO. 8.

Amend House Bill No. 507, line 3, Section 1 of the bill, by inserting after
 2 word “Illinois” the words “and Indiana.”

AMENDMENT NO. 9.

Amend House Bill No. 507, line 4, Section 1, by inserting after the word
 2 “Illinois” the following: “two members to be appointed by the Governor of
 3 Indiana and one member to be appointed by the Chief of Engineers, U. S. A.
 4 and the Secretary of War.”

AMENDMENT NO. 10.

Amend House Bill No. 507, line 3, Section 3, by striking out the words
 2 “Chief Engineer” and substituting therefor the words “Chief of Engineers.”

AMENDMENT NO. 11.

Amend House Bill No. 507, line 4, Section 4, by striking out the third
 2 word thereof, “and” and inserting in lieu thereof the words “the General As-
 3 sembly of.” Strike out the words “chief engineer” in the same line and sub-
 4 stitute therefor the words “Chief of Engineers.”

AMENDMENT NO. 12.

Amend House Bill No. 507, line 1, Section 5, by striking out the words
 2 “Illinois commission” and substituting therefor the following: “Interstate Har-
 3 bor Commission of Illinois and Indiana.”

1 Offered by Committee on Appropriations, June 14, 1921.

2 Ordered printed.

AMENDMENT NO. 1.

Amend House Bill No. 507 in the Senate, page 3, Section 1, by striking out
2 all of Section 1 after line 2 and substituting the following:
3 "sion, to be known as the Interstate Harbor Commission of Illinois and Indi-
4 ana, comprising five members, two members to be named by the Governor of
5 Indiana, one by the Chief of Engineers, U. S. A. and Secretary of War, and the
6 Director of the Department of Public Works and Buildings of Illinois, and
7 Superintendent of the Division of Waterways of said Department as members
8 of said Commission representing the State of Illinois, for the purpose of inves-
9 tigating and reporting upon the feasibility of a proposed public interstate harbor,
10 a proposed plan therefor, the estimated cost of, the proposed method of develop-
11 ment and management, its estimated receipts and operating expenses, and all
12 other data pertaining to said project."

AMENDMENT NO. 2.

Amend House Bill No. 507 in the Senate, page 3, Section 2, line 1, by strik-
2 ing out the words "such commissioners shall" and inserting in lieu thereof the
3 following:
4 "The Director of Public Works and Buildings and the superintendent of
5 the Division of Waterways as the Illinois members of said Interstate Harbor
6 Commission of Illinois and Indiana may."

AMENDMENT NO. 3.

Amend House Bill No. 507 in the Senate, page 3, Section 2, line 5, after
 2 the word "war" by striking out the word "the" and inserting in lieu thereof the
 3 word "Illinois."

AMENDMENT NO. 4.

Amend House Bill No. 507 in the Senate, page 3, Section 2, line 6, by in-
 2 serting after the word "without" the word "additional."

AMENDMENT NO. 5.

Amend House Bill No. 507 in the Senate, page 3, section 3, line 4, follow-
 2 ing the word "commission" by striking out the words "as shall be determined."

AMENDMENT NO. 6.

Amend House Bill No. 507 in the Senate, page 3, Section 3, line 5, by strik-
 2 ing out the words "by said joint commission when organized."

AMENDMENT NO. 7.

Amend House Bill No. 507 in the Senate, page 3, Section 3, line 6, by strik-
 2 ing out after the word "be" the words "determined by said joint commission"
 3 and inserting in lieu thereof "considered necessary by said Illinois members."

AMENDMENT NO. 8.

Amend House Bill No. 507 in the Senate, page 4, Section 4, line 2, by strik-
 2 ing out the word "legal."

AMENDMENT NO. 9.

Amend House Bill No. 507 in the Senate, page 3, Section 4, line 2, follow-
 2 ing the word "assistants" by inserting the following:

3 "or the two members of said commission representing the State of Illinois
 4 may assign such engineers, experts or other assistants now employed in the
 5 work of the Department of Public Works and Buildings."

AMENDMENT NO. 10.

Amend House Bill No. 507 in the Senate, page 4, Section 6, line 2, after the
2 figures "1919" by adding "provided further, before any obligation is incurred
3 to be paid from the appropriation herein made, the approval in writing of the
4 Director of the Department of Public Works and Buildings of Illinois shall be
5 obtained."



- 1 Introduced by Committee on Judiciary, March 24, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to punish persons for destroying property, or inflicting injury to persons, by means of any bomb, dynamite or other explosive, or by means of any other instrument or implement.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Whoever shall wilfully and maliciously destroy, damage, injure or deface any building used or designed for human occupancy, or shall attempt so to do, by means of any bomb dynamite or other explosive, or by means of any instrument or implement, shall be imprisoned in the penitentiary for a period of not less than one year nor more than twenty years.

Sec. 2. Whoever shall wilfully and maliciously destroy, damage, injure or deface any building used or designed for human occupancy, or shall attempt so to do, by means of any bomb, dynamite or other explosive, or by means of any instrument or implement and thereby shall injure any human being, whether such human being be an inmate of such structure or otherwise, shall be impris-

oned in the penitentiary for a period of not less than one year nor more than
7 twenty-five years.

Sec. 3. Whoever shall stand by and aid or abet, or assist, or whoever, not
2 being present, aiding, abetting or assisting, shall advise, encourage, aid or abet
3 the perpetration of such wilful and malicious act, shall be considered as princi-
4 pal and shall be punished accordingly.

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 508

1921



1 Adopted April 6, 1921.

AMENDMENT NO. 1.

Amend the title of printed House Bill No. 508 by inserting in line 3, before
2 the word "instrument" the word "similar" and strike out the last word "other"
3 in line 2.

AMENDMENT NO. 2.

Amend printed House Bill No. 508, Section 1, by inserting in line 5 between
2 the words "any" and "instrument" the word "similar."

AMENDMENT NO. 3.

Amend printed House Bill No. 508, Section 2, by inserting in line 4 before
2 the word "instrument" the word "similar."



- 1 Introduced by Mr. E. A. W. Johnson, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act In Relation To A Municipal Court In The City of Chicago," approved May 18, 1905, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 56 of "An Act In Relation To A Municipal Court In The City of Chicago," approved May 18, 1905, as amended by an Act approved June 3, 1907, entitled, "An Act to Amend an Act Entitled, 'An Act In Relation to a Municipal Court in the City of Chicago,' approved May 18, 1905", be and the same hereby is further amended so that the same shall read as follows:

Sec. 56. That the costs in civil cases in the municipal court shall be as follows:

First. In a case of the first class the plaintiff, at the time of commencing his suit, shall pay to the clerk in full for all services to be rendered by said clerk for the plaintiff in said suit, except as herein otherwise provided, the sum of eight dollars.

7 Second. In a case of the second class the party requesting the transfer of
8 the case at the time of the filing in the municipal court of the transcript of the
9 record of the proceedings of the court from which the case was transferred, shall
10 pay to the clerk in full for all services to be rendered by said clerk for said
11 party in said suit other than the making or furnishing of transcripts of the rec-
12 ord, the sum of one dollar.

13 Third. In any case of the first class the defendant, at the time of filing his
14 appearance, and before he shall be permitted to make any defense, shall pay
15 the clerk in full for all services to be rendered by said clerk for the defendant in
16 said suit, except as herein otherwise provided, the sum of five dollars.

17 Fourth. In any case of the fourth class the plaintiff, at the time of com-
18 mencing his suit, shall pay to the clerk for all services to be rendered by said
19 clerk, if such case be other than an action of forcible detainer, the sum of two
20 dollars, when the amount claimed by him in money or property does not exceed
21 two hundred dollars; the sum of five dollars when the amount claimed by him in
22 money or property exceeds two hundred dollars but does not exceed one thou-
23 sand dollars; and in a case of forcible detainer the sum of two dollars, when the
24 plaintiff does not unite with his claim for possession of the property any claim
25 for rent or damages, but when he does unite with his claim for possession of the
26 property a claim for rent or damages, he shall pay to the clerk the further sum
27 of two dollars, when the amount claimed for rent or damages does not exceed two
28 hundred dollars, and the further sum of five dollars when the amount claimed
29 for rent or damages exceeds two hundred dollars.

30 Fifth. In any case of the fourth class the defendant at the time of entering
31 his appearance, shall pay to the clerk in full for services to be rendered by said
32 clerk, if the suit be other than an action of forcible detainer, the sum of two
33 dollars, when the amount claimed by the plaintiff in money or property exceeds
34 two hundred dollars; and in actions of forcible detainer in which the plaintiff
35 unites with his claim for possession of the property a claim for rent or damages,
36 the sum of two dollars, when the amount claimed for rent or damages exceeds
37 two hundred dollars.

38 Sixth. In any case of the first class and in any case of the second class, the
39 party delivering to the bailiff, or to any sheriff, or to any coroner, any summons,
40 writ of attachment, writ of replevin, subpoena, writ of execution or other pro-
41 cess, shall, at the time of making such delivery, pay to the bailiff, or sheriff, or
42 coroner, as the case may be, the sum of one dollar and seventy-five cents for each
43 defendant or other person named in such process upon whom service thereof is
44 to be made, and in cases of writs of attachment, replevin or execution, he shall
45 pay to the bailiff, or to the sheriff, or to the coroner, as the case may be, the
46 further sum of one dollars and seventy-five cents when any levy upon or seizure
47 of property is to be made thereunder, and shall also pay to the bailiff, or sheriff,
48 or coroner, as the case may be, the actual expense of seizing and caring for any
49 property levied upon or seized thereunder, and the costs for other services of
50 the bailiff, or of the sheriff, or of the coroner, as the case may be, in cases of the
51 first class and cases of the second class, shall be the same as those required by
52 law, from time to time, to be paid for similar services in cases in the circuit court
53 of Cook county, excepting that no charge shall be made for mileage in the serv-
54 ing of any writ, and that no charge shall be allowed for the service or return of
55 any alias writ, when the costs above provided for the original writ have been
56 paid.

57 Seventh. In any case of the fourth class the party delivering to the bailiff
58 any summons, writ of attachment, writ of replevin, subpoena, writ of execution
59 or other process, shall, at the time of making such delivery, pay to the bailiff the
60 sum of one dollar for each defendant or other person named in such process upon
61 whom service thereof is to be made; and in cases of writs of attachment, replevin
62 or execution, he shall pay to the bailiff the further sum of one dollar, when any
63 levy upon or seizure of property is to be made thereunder, and shall also pay to
64 bailiff the actual expense of seizing and caring for any property levied upon or
65 seized thereunder; but no costs for the service or return of any alias writ shall
66 be chargeable when the costs above provided for the original writ have been
67 paid.

68 Eight. In any case the party procuring any certified copy of the record, or
69 of any portion thereof, in any case shall pay to the clerk the same fees required
70 by law from time to time to be paid to the clerk of the circuit court of Cook
71 county for similar services.

72 Ninth. In any case of the fourth class the bailiff, as commissions on moneys
73 realized by execution, shall collect from the defendant in the execution five per
74 cent upon the amount realized, if it does not exceed one hundred dollars; but if
75 the amount realized exceeds one hundred dollars, the bailiff shall collect five per
76 cent on the first one hundred dollars and three per cent upon the excess over one
77 hundred dollars.

78 Tenth. All other costs not herein expressly provided for shall be the same
79 as the costs provided by law in cases in the circuit court of Cook county, and all
80 costs shall be taxed in favor of the successful party and against the unsuccessful
81 party in the same way and to the same extent as costs in similar cases are taxed
82 in the circuit court of Cook county, unless the court shall otherwise direct.

83 Eleventh. *Upon the filing in the office of the clerk of said court of a sub-*
84 *mission to arbitration entered into, or arbitrator's award rendered pursuant to,*
85 *"An Act to Revise the Law in Relation to Arbitrations and Awards," the party*
86 *so filing shall pay to the Clerk of said court the sum of one dollar, which shall be*
37 *in full for all services in said cause. Provided, if any exceptions are taken to any*
88 *such award, or the opinion, order or direction of the Court is asked on any mat-*
89 *ter other than that of entering judgment on an award where there is no contest,*
90 *the party so excepting or asking for such opinion, order or direction shall pay to*
91 *said clerk the additional sum of two dollars, and said sums, aggregating three*
92 *dollars, shall be in full for all services in any contested case. Said fees shall be*
93 *taxed as costs the same as other costs in such cause. If any submission to arbi-*
94 *tration of a pending cause shall be filed in such cause, no additional fees shall be*
95 *charged for such arbitration proceedings.*

96 Twelfth. *Every civil suit at law not quasi-criminal in its nature in said*
97 *court, shall be tried by the court, without a jury, unless the plaintiff, at the com-*

98 *commencement of such suit or the defendant at the time he enters his appearance,*
100 *shall file with the clerk of the court a demand in writing for trial by jury and at*
101 *the same time shall pay to the clerk of the court, in addition to other fees allowed*
102 *by law, the sum of twelve dollars for a jury trial. In case either party shall file*
103 *such demand, the cause shall be tried by jury unless both parties shall waive trial*
104 *by jury and submit the cause to the court for trial without a jury. At any time*
105 *before the commencement of a trial before the court without a jury, either party*
106 *may, in the discretion of the court, demand trial by jury upon paying the fee*
107 *therefor, provided the trial of the cause shall not be materially delayed by such*
108 *demand. Said fees shall be taxed as costs the same as other costs in such cause.*

109 In any case included within the terms of this section the court may, in its dis-
110 cretion, order that an advance payment of costs may be waived in favor of any
111 poor person whose financial circumstances, as made to appear to the court, are
112 such that such advance payment would be unduly burdensome or oppressive,
113 and no advance payment of costs shall in any case be required to be made either
114 by the State of Illinois, the county of Cook, or any municipal corporation or
115 any board of public park commissioners situated in whole or in part within the
116 limits of the city of Chicago. Any expense incurred on an order of court for keep-
117 ing jurors together shall be paid out of the treasury of the city of Chicago, upon
118 the certificate of the clerk of the municipal court.

AMENDMENT TO.

52d G. A.

HOUSE BILL NO. 509

1921



1 Adopted May 19, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 509, by striking out in line 102, of section 12 the

2 word "twelve" and insert in lieu thereof the word "eight."



- 1 Introduced by Mr. Johnson, E. A. W., March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to require the payment of court clerk's fees for jury trials in certain cases, and to provide for taxing such fees as costs of suit.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Every civil suit at law not quasi criminal
3 in its nature in every nisi prius court of record, including city courts and the
4 municipal court of Chicago situated in counties of the third class as defined by
5 "An Act concerning fees and salaries, and to classify the several counties of
6 this State with reference thereto," approved March 29, 1872, in force July 1,
7 1872, as subsequently amended, shall be tried by the court without a jury,
8 unless the plaintiff or applicant, at the commencement of such suit or the defend-
9 at or appellee at the time he enters his appearance, shall file with the clerk of
10 the court a demand in writing for trial by jury and at the same time shall pay
11 to the clerk of the court, in addition to other fees allowed by law, the sum of
12 twelve dollars for a jury trial. In case either party shall file such demand, the

13 cause shall be tried by jury unless both parties shall waive trial by jury and
14 submit the cause to the court for trial without a jury. At any time before the
15 commencement of a trial before the court without a jury, either party may, in
16 the discretion of the court, demand trial by jury upon paying the fee therefor
17 provided the trial of the cause shall not be materially delayed by such demand
18 Said fees shall be taxed as costs the same as other costs in such cause.

- 1 Introduced by Mr. E. A. W. Johnson, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as subsequently amended, be and the same hereby is further amended by adding one additional section thereto, to be known as Section 34, to read as follows:*

Sec. 34. *Upon the filing in the office of the clerk of any court of record in counties of the third class of a submission to arbitration entered into, or arbitrator's award rendered pursuant to "An Act to revise the law in relation to arbitrations and awards," approved June 11, 1917, in force July 1, 1917, as subsequently amended, the party so filing shall pay to the clerk of said court the*

6 sum of one dollar, which shall be in full for all services in said cause: Pro-
7 vided, if any exceptions are taken to any such award, or the opinion, order or
8 direction of the court is asked on any matter other than that of entering judg-
9 ment on an award where there is no contest, the party so excepting or asking
10 for such opinion, order or direction shall pay to said clerk the additional sum
11 of two dollars, and said sums, aggregating three dollars, shall be in full for all
12 services in any contested case. Said fees shall be taxed as costs the same as
13 other costs in such cause. If any submission to arbitration of a pending cause
14 shall be filed in such cause, no additional fees shall be charged for such arbi-
15 tration proceedings.



- 1 Introduced by Mr. O'Grady, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to advance the standard time throughout Illinois one hour between the first day of April and the first day of September of each year.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* At two o'clock antemeridian of the first day in April of each year the standard time throughout the State of Illinois shall be advanced one hour, and at two o'clock antemeridian of the first day in September of each year the standard time throughout the State of Illinois shall, by the retarding of one hour, be returned to the mean astronomical time of the degree of longitude governing the zone in which the State of Illinois is located (as fixed by Act of Congress) so that between the dates above fixed, in each year, the standard time in Illinois shall be one hour in advance of the mean astronomical time of the degree of longitude governing the zone in which the State of Illinois is located.

Sec. 2. Because of an emergency, this Act shall take effect upon its passage.



- 1 Introduced by Mr. Castle, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 17 and 19 of an Act entitled, "An Act in relation to the nomination of candidates for public offices by political parties," approved March 9, 1910, in force July 1, 1910, and Acts amendatory thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That Sections 17 and 19 of an Act
3 entitled, "An Act in relation to the nomination of candidates for public offices
4 by political parties," approved March 9, 1910, in force July 1, 1910, and Acts
5 amendatory thereto, be and the same are hereby amended to read as follows:

Sec. 17. Previous to any vote being taken, the primary judges and clerks
2 shall severally subscribe and take an oath or affirmation in the following form,
3 to-wit:

4 "I do solemnly swear (or affirm, as the case may be,) that I will support
5 the Constitution of the United States and the Constitution of the State of
6 Illinois, and will faithfully and honorably discharge the duties of primary judge
7 (or clerk, as the case may be), according to the best of my ability, and that I

8 have resided in this State for one year, in this county for ninety days, and in
9 this precinct thirty days next preceding this primary, and am entitled to vote
10 at this primary *and that I am not a candidate for any office to be voted for at*
11 *this primary election.*

12 All persons subscribing the oath as aforesaid, and all persons actually
13 serving as primary judges and clerks, whether sworn or not, shall be deemed to
14 be and are hereby declared to be officers of the County Court of their respect-
15 ive counties; and such persons shall be liable to punishment by such court in
16 proceeding for contempt for any misbehavior as such primary judges or clerks,
17 to be tried in open court, on oral testimony, in a summary manner, without
18 written pleadings, but such trial, or punishment for contempt of court, shall not
19 be any bar to any criminal proceedings against such primary judges or clerks
20 for any violation of this Act.

Sec. 19. The primary judges and clerks, except as otherwise provided in
2 this Act, shall perform the same duties, have the same powers, and be subject
3 to the same penalties as judges and clerks of general elections, under the elec-
4 tion laws of this State. *Provided, however, that no judge or clerk of election*
5 *who is a candidate for any office to be voted for at an election held under the*
6 *provisions of this Act, shall be qualified to act as a judge or clerk at such elec-*
7 *tion; and in the event of his being such a candidate, his office of judge or clerk*
8 *of election shall be declared vacant for such election, and such vacancy shall*
9 *be duly filled as provided in this Act.*



- 1 Introduced by Mr. Castle, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 4, 9 and 10 of an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, and Acts amendatory thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 4, 9 and 10 of an Act enti-
3 tled "An Act in regard to elections and to provide for filling vacancies in elective
4 offices," approved April 3, 1872, in force July 1, 1872, and Acts amendatory
5 thereto, be, and the same are hereby amended, to read as follows:

Sec. 4. Every person elected or chosen judge of election shall be of fair
2 character, approved integrity, well informed, who can read, write and speak the
3 English language, and has resided in the election district, in which he is to
4 serve, for one year next preceding the election, and is entitled to vote therein
5 at such election: *Provided, however, that no person elected or chosen judge of*
6 *election, as is provided in this section, shall be qualified to act as such at an*
7 *election at which he is a candidate for office.*

Sec. 9. Each judge of election shall choose a person having the qualifications of a judge of election, to act as clerk of election, who may continue to act as such during the pleasure of the judge making such appointment: *Provided, however, that no person shall act as a clerk of election pursuant to the provisions of this Act at an election in which he is a candidate for an office to be filled under the provisions of this Act.*

Sec. 10. Previous to any vote being taken, the judges and clerks of the election shall, severally, subscribe and take an oath or affirmation in the following form, to-wit:

“I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of judge of election (or clerk, as the case may be) according to the best of my ability, and that I have resided in this election district for one year next preceding this election, and am entitled to vote at this election *and that I am not a candidate for any office to be voted for at this election.*”



1 Adopted April 20, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 514, in the title, after the word "sec-
2 tions" by striking the figures and word "4, 9 and 10" and inserting in lieu
3 thereof, the figures and word "31, 37 and 38."

AMENDMENT NO. 2.

Amend printed House Bill No. 514, on page 1, in Section 1, line 2, after the
2 word "section" by striking the figures and word "4, 9 and 10" and inserting in
3 lieu thereof the figures and word "31, 37 and 38."

AMENDMENT NO. 3.

Amend printed House Bill No. 514, in line 1 of "Sec. 4" by striking the
2 number "4" and inserting in lieu thereof the number "31."

AMENDMENT NO. 4.

Amend printed House Bill No. 514, on page 2, line 1, of "Sec. 9" by striking
2 the number "9" and inserting in lieu thereof the number "37."

AMENDMENT NO. 5.

Amend printed House Bill No. 514, on page 2, line 1 of "Sec. 10" by striking
2 the number "10" and inserting in lieu thereof the number "38."



- 1 Introduced by Mr. Little (by request), March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prevent and punish the printing and use of representations, imitations or pictures of the seal of the State of Illinois by private persons, firms or corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That any person, firm or corporation that
3 shall make or print or cause to be made or printed any representation, imitation
4 or picture, of the seal of the State of Illinois, either with or without changes
5 or elaborations thereof, or additions thereto, or shall use or cause to be used any
6 such representation, imitation or picture upon any private paper, stationery,
7 advertisement, book or document, shall be guilty of a misdemeanor, and upon
8 conviction thereof shall be punished by a fine of not less than two hundred dol-
9 lars (\$200.00) nor more than five hundred dollars (\$500.00) for each offense:
0 *Provided,* that nothing in this section shall prevent the various departments of
1 State Government or any branch, arm, agency or municipality of the State
2 from printing or using any such representation, imitation or picture of said

13 seal upon any papers, stationery, books or documents which may be used in
14 the performance of or in connection with their public purposes, functions or
15 duties.



- 1 Introduced by Mr. Smejkal, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations in aid of the Illinois Farmers' Institute, Illinois State Beekeepers' Association, Illinois State Dairymen's Association, Illinois State Poultry Association, Illinois State Horticultural Society, Illinois Firemen's Association, Grand Army Hall and Memorial Association, and Grand Army of the Republic.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The following named sums, or so much
3 thereof as may be necessary, are hereby appropriated, respectively, for the pur-
4 poses hereafter named for the biennium beginning July 1, 1921, to the associa-
5 tions and organizations as follows:

Sec. 2. To the ILLINOIS FARMERS' INSTITUTE:

2 For Salaries and Wages..... \$18,240
3 For the following positions at not to exceed the annual rates herein
4 specified:

5	1 Secretary.....	\$3,600 per annum	
6	1 Secretary of Household Science.....	2,000 per annum	
7	1 Stenographer.....	1,320 per annum	
8	1 Clerk.....	1,500 per annum	
9	Reporting Proceedings.....	700 per annum	
10	For Office Expenses at \$2,125 per annum.....		4,250
11	For Equipment.....		750
12	For Contingencies at \$100 per annum.....		200
13	For Speakers and Field Workers at 7,000 per annum.....		14,000
14	For County Institutes at \$7,650 per annum.....		15,300
15	For Officers' Expenses and State Institutes at \$6,000 per annum.....		12,000
16	(Total for Illinois Farmers' Institute, \$64,740.)		

Sec. 3. To the ILLINOIS STATE BEEKEEPERS' ASSOCIATION:

2	For Shorthand Reporter and Compiling Reports at \$200 per annum...	\$	400
3	For Publishing and Distributing Report and Expense of State Fair Ex-		
4	hibit and Annual Meeting at \$1,000 per annum.....		2,000
5	(Total for Illinois State Beekeepers' Association, \$2,400.)		

Sec. 4. To the ILLINOIS STATE DAIRYMEN'S ASSOCIATION:

2	For Secretary and Stenographic work at \$395 per annum.....	\$	790
3	For Office Expenses at \$925 per annum.....		1,850
4	For Travel and Expenses of Annual and One-day Conventions at \$1,180		
5	per annum.....		2,360
6	Total for Illinois State Dairymen's Association, \$5,000.)		

Sec. 5. To the ILLINOIS STATE POULTRY ASSOCIATION:

2	For Judges, Lecturers and Caretakers during Show at \$300 per annum..	\$	600
3	For Office Expenses at \$250 per annum.....		500
4	For Travel and Poultry Show Expenses at \$550 per annum.....		1,100
5	(Total for Illinois State Poultry Association, \$2,200.)		

Sec. 6. To the ILLINOIS STATE HORTICULTURAL SOCIETY:

2	For Secretary and Stenographic Work at \$625 per annum.....	\$ 1,250
3	For Office Expenses at \$2,600 per annum.....	5,200
4	For Travel and Expenses of Experiment Station, District and State So-	
5	cieties, Demonstration and Summer Meetings at \$3,475 per annum...	6,950
6	(Total for Illinois State Horticultural Society, \$13,400.)	

Sec. 7. To the ILLINOIS FIREMEN'S ASSOCIATION:

2	For Postage, Expense of Annual Meetings, and Dissemination of Infor-	
3	mation at \$1,000 per annum.....	\$ 2,000
4	(Total for Illinois Firemen's Association, \$2,000.)	

Sec. 8. To the GRAND ARMY HALL AND MEMORIAL ASSOCIATION
OF ILLINOIS:

3	For Two Custodians at \$1,200 each per annum.....	\$ 4,800
4	For Printing, Postage and other Expenses at \$850 per annum.....	1,700
5	(Total for Grand Army Hall and Memorial Association of Illinois, \$6,500.)	

Sec. 9. To the DEPARTMENT OF ILLINOIS, GRAND ARMY OF
THE REPUBLIC:

3	For Printing and Distributing Bulletins and General Orders at \$1,500	
4	per annum.....	\$ 3,000
5	(Total for Department of Illinois, Grand Army of the Republic, \$3,000.)	

Sec. 10. These appropriations are subject to the provisions of "An Act
in Relation to State Finance," approved June 10, 1919, in force July 1, 1919.



1 Adopted April 12, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 516, as printed in the House, in Section 2, page 1,
2 line 2, by striking out the figures \$18,240, and inserting in lieu thereof the fol-
3 lowing figures, \$18,840.

AMENDMENT NO. 2.

Amend House Bill No. 516, as printed in the House, in Section 2, page 2,
2 line 8, by striking out the figures, \$1,500, and inserting in lieu thereof the fol-
3 lowing figures, \$1,800.

AMENDMENT NO. 3.

Amend House Bill No. 516, as printed in the House, in Section 2, page 2,
2 line 16, by striking out the figures \$64,740, and inserting in lieu thereof the fol-
3 lowing figures, \$65,340.



- 1 Introduced by Mr. Noonan, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend section (10) of an Act entitled, "An Act to provide for a firemans pension fund and to create a board of trustees to administer said fund in cities having a population exceeding two hundred thousand (200,000) inhabitants." (Filed June 14, 1917. In force July 1, 1917.)

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section (10) of an Act entitled, "An
3 Act to provide for a firemans pension fund and to create a board of trustees
4 to administer such fund in cities having a population exceeding two hundred
5 thousand (200,000) inhabitants." (Filed June 14, 1917. In force July 1, 1917),
6 be and the same is hereby amended to read as follows:

"If a fireman shall die from any cause while in the service, except-
2 ing while on leave of absence without pay for more than thirty days
3 during any year, or if any fireman shall die from any cause during retirement
4 on account of disability, or during retirement after twenty years service and
5 while in good standing as provided in this Act, and shall leave a widow, minor

6 natural child or children, or dependent natural father or mother surviving
7 *Provided further* that if a fireman who obtains a leave of absence without pay
8 for more than thirty days for the purpose of entering the Military or Nava
9 Service of the United States during a period of war, past, present or future and
10 who shall depart this life during such leave of absence shall not forfeit any
11 rights or privileges provided for herein and his dependents and relatives shall
12 have the same rights in and to and under the said pension fund as if the said
13 fireman had departed this life while in the active service of said department
14 said Board of Trustees shall direct the payment of such pension fund of the
15 following sums of money monthly;

16 A. To such widow while unmarried, \$45.00 provided that no pension shall
17 be allowed to the widow of any deceased fireman who has married such fireman
18 subsequent to the date of his retirement with a pension under the provisions of
19 this Act and subsequent to June 30th, 1915.

20 B. To the guardian of any such child or children \$10.00 while their
21 mother is living and unmarried and \$15.00 if their mother is not living, until
22 such child or children reach the age of 18 years, provided that if any such child
23 or children after reaching the age of 14 years shall not attend school, then such
24 child or children not attending school shall be paid \$5 a month while the mother
25 is living and unmarried and \$10.00 a month if the mother is not living.

26 C. To such dependent father or mother if there be no widow or minor
27 natural child or children surviving deceased fireman the sum of \$25.00, provided
28 that it shall be proven that the deceased fireman at the time of his death was the
29 sole and only support of said parents.



- 1 Introduced by Mr. Arnold, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act in relation to poultry husbandry.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* It shall be the duty of the Department of
3 Agriculture through the board of poultry husbandry

4 1. To print, publish and distribute pamphlets, documents, reports and bul-
5 letins on poultry husbandry dealing with the housing, yarding, feeding, breeding,
6 brooding of poultry and methods of selecting stock, of incubation, of exhibiting
7 and judging and of treating the diseases of poultry;

8 To conduct poultry educational exhibits at county fairs and the State fair
9 and at county and State farmers' institute meetings;

10 3. To provide lecturers and instructors for farmers' institutes, who shall
11 give instruction in poultry husbandry;

2 4. To conduct egg laying contests and award prizes to the winning con-
3 testants;

4 5. To assist, in every way that may be practicable, persons interested in
5 poultry farming.



- 1 Introduced by Mr. McCaskrin, March 24, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 24 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 24 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, and in force July 1, 1872, as amended, is amended to read as follows:

Sec. 24. SCHEDULE.] Persons required to list personal property shall make out, under oath, and deliver to the assessor, at the time required, a schedule of the numbers, amount, quantity, and quality of all personal property in their possession or under their control, required to be listed for taxation by them. It shall be the duty of the assessor to determine and fix the fair cash value of all items of personal property, including all grain on hand on the first day of May and in assessing notes, accounts, bonds and moneys, the assessor shall be governed by the same rules of uniformity that he adopts as to value in assessing

9 other personal property, and the assessor is hereby authorized to administer the
10 oath required in this section and if any person shall refuse to make such sched-
11 ule under oath, then the assessor shall list the property of such person
12 according to his best judgment and information and shall add to the valuation of
13 such list an amount equal to fifty per cent of such valuation and if any person
14 making such schedule shall swear falsely he shall be guilty of perjury and pun-
15 ished accordingly. Any person so required to list personal property who shall
16 refuse, neglect or fail when requested by the proper assessor, so to do, shall
17 be deemed guilty of a *misdemeanor and on conviction thereof shall be impris-*
18 *oned for not less than 3 months nor more than one year or fined not exceeding*
19 *\$10,000, or both, and the several assessors shall report such refusal to the*
20 *County Attorney, whose duty it is to prosecute the same.*



- 1 Introduced by Mr. Arnold, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities
and Transportation.

A BILL

For an Act to add Section 21a to "An Act in relation to fencing and operating railroads," approved March 31, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 21a is added to "An Act in rela-
3 tion to fencing and operating railroads," approved March 31, 1874, in force
4 July 1, 1874, as amended, this section to read as follows:

Sec. 21a. *No railroad or railway company shall operate within this State*
2 *a car for the accommodation of passengers on which any door between the inside*
3 *of the car and the outside platform of the car is locked. Any railroad or rail-*
4 *way company which violates this section is guilty of a misdemeanor and shall*
5 *be fined not less than twenty-five dollars (\$25) nor more than two hundred*
6 *dollars (\$200).*

7 *In case of continuing violation of the provisions of this section, each day's*
8 *continuance thereof is a separate offense.*



- 1 Introduced by Mr. Berry, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 3 of Article III of "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 3, of Article III of "An Act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended, is amended to read as follows:*

Sec. 3. Such board of registry and the election clerks shall meet in the precinct twice prior to such first election for the purpose of making a registry; the first day for such registration being on the Saturday immediately preceding the Tuesday four weeks before such election, and the second day of registration being on the Tuesday three weeks before election for the first general city, village or town election, or the first general State or county election which may occur after the first appointment of such board of election commissioners at the place desig-

8 nated by such board of commissioners and they shall then proceed to make a
9 general registration of all the voters in such precinct. A new general registra-
10 tion shall be made by the board of registry in every year in which a congressional
11 election occurs and just prior thereto, the first day of such registration being on
12 the Saturday immediately preceding the Tuesday four weeks before such elec-
13 tion, and the second day of registration being on Tuesday, three weeks before
14 such election. Two registry books shall be furnished to such board of registry by
15 the board of election commissioners for the purpose of such registration, and
16 shall be prepared substantially in the following form:

REGISTER OF VOTERS..... PRECINCT WARD

Residence.	Name.	Nativity.	Term of Residence.						Naturalized.	Date of Naturalization papers.	Court.	By Act of Congress.	(Qualified Voter.	Date of application for registry.	Residence when last registered.	Why disqualified.	Erased.	Restored.		Remarks.
			At Present Address 30 days?	In Precinct 30 days?	In County 90 days?	In State one year?	In the United States one year.	Twenty-one years of age?										By commissioner.	By court.	
420 Ohio St.	Ames, Wm. J.	Mass.	Yes	Yes	Yes	Yes	Yes	Yes					Yes	Oct. 5, 1885.	420 Ohio St. April, 1885					
205 Ontario St.	Allen, John	England	20 d'ys	Yes	Yes	Yes	Yes	Yes	Yes	May 27, 1871.	Superior, N. Y.		Yes	Oct. 5, 1885.	2500 Fifth Ave. April, 1885					211 Ontario St., 25 days
150 Dearborn Ave.	Austin, George	Georgia	3 d'ys	3 d'ys	Yes	Yes	Yes	Yes					No	Oct. 12, 1885.	230 W. Adams St. April, 1885					
131 Clark St.	Anschuler, Charles	Germany	Yes	Yes	Yes	Yes	Yes	Yes	Yes	July 1, 1883.	Not known Baltimore		Yes	Oct. 12, 1885.	First Reg.					
450 Illinois St.	Baker, Mary, Mrs.	Kentucky	3 d'ys	3 d'ys	60 d'ys	9 mos.	Yes	Yes					No	Oct. 12, 1885.	First Reg.					
469 Sixth Street.	Barker, Jane, Mrs.	Illinois	5 d'ys	Yes	Yes	Yes	Yes	Yes					Yes	Oct. 12, 1885.	Last Reg.					340 Ohio St. more than 30 days

17 Said board of registry shall then proceed as follows:

18 First—They shall open the registry at eight o'clock a. m. and continue in
19 session until nine o'clock p. m. on registration days. One of the judges shall
20 administer to all persons who shall personally apply to register the following oath
21 or affirmation:

22 “You do solemnly swear (or affirm) that you will fully and truly answer all
23 such questions as shall be put to you touching your place of residence, name,
24 place of birth, your qualifications as an elector, and your right as such, to regis-
25 ter and vote under the laws of this State.”

26 Second—Each of said clerks of election and one of said judges of election
27 shall have charge of the registry books, and shall make the entries therein as re-
28 quired by this Act, and one of the judges shall ask the questions as to qualifica-
29 tions, and after he is through either of the judges may ask questions. As many
30 questions may be asked by any judge as may be deemed necessary to fully
31 determine the qualifications of the applicant to register, and any answer that is
32 deemed material and that is not in response to a question provided for on the
33 register may be stated in the column headed “remarks;” *but no applicant shall*
34 *be required to give his exact age, or period of residence in the United States,*
35 *State, county, or precinct if it appears from his answers that he is more than*
36 *twenty-one years of age and that his period of residence is such as to entitle him*
37 *to be registered as a qualified voter.* One of the judges of election may, when
38 necessary, relieve one of the clerks from time to time as necessity may seem to
39 demand, in making entries in said book.

40 Third—The name of every applicant shall be entered in such registry books,
41 and all facts shall be therein stated, as hereinafter provided, whether he be
42 entitled to vote or not. If it shall be determined by the board that he is not a
43 qualified voter in such precinct, then an entry shall be made in the appropriate
44 column, “No,” and if qualified, an entry shall be made in the same column,
45 “Yes.”

46 Fourth—Only such persons of the age of twenty-one years, residing in such
47 precinct, as apply personally for registration, shall be entered in such registers;
48 but every applicant would be twenty-one years of age on the day of next election,
49 if otherwise qualified, shall be entered on such registers.

50 Every applicant who has commenced to reside in such precinct at least thirty
51 days before such election shall be entered in such registry and shall be marked
52 “qualified” or “disqualified,” as the case may be; but unless on the day of elec-
53 tion he shall have resided for thirty full days in such election precinct, he can
54 not vote therein, although otherwise qualified.

55 Fifth—The headings to the registry book shall be so prepared that the
56 registry shall be made alphabetically, according to the surname of each person
57 applying, but it shall be arranged so that the residences of such persons shall
58 appear in the first column. The register shall be ruled, and one name shall be
59 written on each line, but no names shall be written between the lines. The
60 entries shall be as follows:

61 First—Under the column “Residence” the name and number of the street,
62 avenue, or other location of the dwelling, if there be a definite number, and if
63 there shall not be a number such clear and definite description of the place of
64 such dwelling as shall enable it to be readily ascertained. If there shall be more
65 than one house at the number given by the applicant as his place of residence,
66 state in which house he resides. And if there be more than one family residing
67 in said house, either the floor on which he resides, or the number, or location of
68 the room or rooms occupied by him, whether front or rear; every floor below the
69 level of the street or ground being designated as the basement; the first floor
70 above that as the second or such other floor as it may be. If there shall be a
71 flat building or an apartment house at the number given, state the number of the
72 flat or apartment, as the case may be, in which he resides.

73 Second—Under the column “Name,” the name of the applicant, writing the
74 surname first, and given or Christian name after.

75 Third—Under the column “Nativity,” the State, country, kingdom, empire
76 or dominion as the fact stated by applicant shall be.

77 Fourth—Under the subdivision of the general column, “Term of residence,”
78 *the answer to the questions indicated by the headings of the subdivisions headed*
79 *respectively, “At present address 30 days?” “In county 90 days?” “In State one*
80 *year?” “In the United States one year?” but if the answer to any of the ques-*
81 *tions indicated be in the negative, the entry in the appropriate column shall be*
82 *the period of days, months, or years stated by the applicant.*

83 *If the term of applicant’s residence at the street and number given be less*
84 *than thirty days prior to the election, then the applicant shall state at what*
85 *location in the same precinct he resided immediately prior thereto, and whether*
86 *he resided at that location thirty days, and, if not, the exact length of time that*
87 *he resided there, which statement shall be entered in the column headed, “Re-*
88 *marks.”*

89 Fifth—Under the column, “Twenty-one years of age?” *the answer to the*
90 *question indicated by the heading, but if such answer be in the negative, the*
91 *entry shall be the exact age of the applicant.* Under “Naturalized,” the word,
92 “Yes” according to the fact stated.

93 Sixth—Under the column, “Date of Papers,” the date of naturalization, if
94 naturalized, or about the date.

95 Seventh—Under the column, “Court,” the designation of the court in which,
96 if naturalized, such naturalization was had; and, if the name of the court can not
97 be had with certainty, then the name of the place in which such court was located.

98 Eighth—Under the column “By Act of Congress,” the word “Yes,” in case
99 such person, though foreign born, has been made a citizen by Act of Congress,
100 without taking out his naturalization papers.

101 Ninth—Under the column “Qualified Voter,” the word “Yes,” or “No,” as
102 the facts shall appear, or be determined by a majority of the board of registry, it
103 being, however, required of them to designate as a qualified voter any person
104 who, if otherwise qualified, shall not, at the time of making application, be of age:

105 *Provided*, the time when such applicant shall be of the age of twenty-one shall
106 be subsequent to the date of his application and not later than the day of election
107 immediately following such time of applying; but no applicant shall be desig-
108 nated as a qualified voter who, having been challenged, has not filed with said
109 board of registry his affidavit of qualification, according to the provisions of this
110 Act.

111 Tenth—Under the column “Date of Application,” the month, day and year,
112 when the applicant presented himself and was adjudged a qualified voter in elec-
113 tion precinct.

114 Eleventh—Under the column, “Residence when last registered,” the name
115 and number of the street or avenue from which applicant was last registered, in
116 the same city, village, or town, and the month and year in which the election was
117 held for which such registration was made. If the applicant has not previously
118 been registered in said city, village or town, state “first registration.”

Sec. 2. This amendatory Act shall go into effect October 1, 1922.



- 1 Introduced by Mr. Boyd, March 29, 1821.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act to license motor vehicles used as common carriers in the carriage of pas-
sengers or property.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* After the first day of October, 1921, no
3 person shall operate a motor vehicle as a common carrier of passengers or
4 property between points within this State, without having a license to so operate
5 the vehicle for public carriage.

Sec. 2. Every person desiring to operate a motor vehicle for the common
2 carriage of passengers or property between points within this State, shall make
3 application to the State Treasurer on blanks furnished by that officer.

Sec. 3. Fees as specified below shall be paid to the State Treasurer for
2 licenses to operate motor vehicles for the common carriage of passengers or
3 property;

- 4 1. For each vehicle designed and used for carrying not more than seven
5 passengers of

6	Twenty-five (25) horsepower or less.....	\$ 12.00
7	More than 25, but not more than 35 horsepower	15.00
8	More than 35, but not more than 50 horsepower	25.00
9	More than 50 horsepower.....	35.00
10	2. For each vehicle designed and used for pulling or carrying freight or	
11	for carrying more than seven passengers of a gross weight (including the	
12	weight of the vehicle and maximum load) of	
13	Five thousand (5,000) pounds or less.....	\$ 15.00
14	More than 5,000 and not more than 12,000 pounds	28.00
15	More than 12,000 and not more than 15,000 pounds	45.00
16	More than 15,000 pounds.....	75.00

Sec. 4. The licenses issued under this Act shall expire on the first day of
 2 October after their issuance and must be renewed annually. The renewal fee
 3 for a license shall be the same as the fee for the original license.

Sec. 5. Every person who violates the provision of Section 1 of this Act is
 2 guilty of a misdemeanor and shall be fined not less than fifty dollars (\$50.00)
 3 nor more than two hundred dollars (\$200.00). In case of a continuing violation
 4 of the provision of Section 1 of this Act each day's continuance thereof is a sep-
 5 arate offense.

Sec. 6. "Motor vehicle" as used in this Act includes automobiles, locomo-
 2 biles, motor bicycles and all other vehicles propelled otherwise than by muscular
 3 power, but excluding cars of electric and steam railways and other vehicles run-
 4 ning only upon fixed rails or tracks.

Sec. 7. All license fees received for licenses issued under the provisions of
 2 this Act, shall be paid into the Road Fund created by Section 36 of the "Motor
 3 Vehicle Law," approved June 30, 1919, in force January 1, 1920.



- 1 Introduced by Mr. Boyd, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities
and Transportation.

A BILL

For an Act to amend Section 55, Article IV, of “An Act to provide for the regulation of public utilities,” approved June 30, 1913, in force January 1, 1914, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: Section 55, Article IV, of “An Act to
provide for the regulation of public utilities,” approved June 30, 1913, in force
January 1, 1914, as amended, is amended to read as follows:

Sec. 55. No public utility shall begin the construction of any new plant,
equipment, property or facility which is not in substitution of any existing
plant, equipment, property or facilities or in extension thereof or in addition
thereto, unless and until it shall have obtained from the commission a certificate that public convenience and necessity require such construction.

No public utility not owning any city or village franchise nor engaged in
performing any public service or in furnishing any product or commodity within

8 this State at the time this Act goes into effect shall transact any business in this
9 State until it shall have obtained a certificate from the commission that public
10 convenience and necessity require the transaction of such business.

11 Whenever after a hearing the commission determines that any new con-
12 struction or the transaction of any business by a public utility will promote
13 the public convenience and is necessary thereto it shall have the power to issue
14 certificates of public convenience and necessity.

15 Such certificates may be altered or modified by the commission, upon its
16 own motion or upon application by the person or corporation affected. Unless
17 exercised within a period of two years from the grant thereof authority con-
18 ferred by a certificate of convenience and necessity issued by the commission
19 shall be null and void.

20 *No certificate of convenience and necessity granted to any common car-*
21 *rier by motor vehicles shall be considered to be a grant of an exclusive privi-*
22 *lege but other certificates of convenience and necessity may be issued by the*
23 *commission to other carriers by motor vehicles for the same route.*



- 1 Introduced by Mr. Flack, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 3 of "An Act for the relief of the blind," approved May 11, 1903, in force July 1, 1903, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 3 of "An Act for the relief of the blind," approved May 11, 1903 in force July 1, 1903, as amended, is amended to read as follows:*

Sec. 3. No person who is a charge of any charitable institution of this State or any county or city thereof nor any person having an income of more than two hundred and fifty dollars (\$250.00) per annum, nor any person who has a father, grandfather, mother or grandmother or children, grandchildren, brothers or sisters who are able to support him, nor any person who has not resided within the State of Illinois continuously for ten (10) consecutive years and in the county three (3) yaers, immediately before applying for said benefit shall be entitled to receive a benefit under the provisions of this Act.



- 1 Introduced by Mr. Flagg, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Sections 6, 9, 28, 30, 35 and 46 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 6, 9, 28, 30, 35 and 46 of "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as amended, is amended to read as follows:

Sec. 6. A primary shall be held on the second Tuesday in April in every year in which a President of the United States is to be elected, for the purpose of electing delegates and alternate delegates to national nominating conventions, and for the purpose of securing an expression of the sentiment and will of the party voters with respect to candidates for nomination for the office of President of the United States. A primary shall be held on the *second Tuesday in April* in every year in which officers are to be voted for, on the first

8 Tuesday after the first Monday in November of such year, for the nomination
9 of candidates for such offices as are to be voted for at such November election.

10 A primary shall be held on the last Tuesday in February in each year, for
11 the nomination of such officers as are to be voted for on the first Tuesday in
12 April of such year.

13 A primary shall be held on the second Tuesday in March in each year, for
14 the nomination of such officers as are to be voted for on the third Tuesday in
15 April of such year.

16 A primary for the nomination for all other officers, nominations for which
17 are required to be made under the provisions of this Act, shall be held three
18 weeks preceding the date of the general election for such offices, respectively.

19 The polls shall be open from 6:00 o'clock A. M. to 5:00 o'clock P. M.

Sec. 9. (1) The State central committee of *each political party* shall be
2 composed of one member from each congressional district in the State, who
3 shall be *chosen in the year 1922 and every four years thereafter by the Con-*
4 *gressional convention of the party and district in which he resides.* The mem-
5 bers of the State central committee shall, within thirty days after *they are*
6 *chosen*, meet in the city of Springfield and organize by electing from their own
7 number, *or otherwise*, a chairman, and may at such time elect such officers from
8 their own number, or otherwise, as they may deem necessary or expedient. The
9 outgoing chairman of the State central committee of each party shall, ten days
10 before the meeting, notify each member of the State central committee *so chosen*
11 of the time and place of such meeting.

12 (2) At the April primary held *in April, 1922*, and every *four years* there-
13 after, each primary elector may *vote for one candidate* of his party in the pre-
14 cinct for member of his political party precinct committee. The one having the
15 highest number of votes shall be such committeeman of such party for such
16 precinct. In case of a tie the primary judges shall cast lots. The official re-
17 turns of the primary judges shall show the name and address of the committee-
18 man of each political party in the county: *Provided, however, the provisions of*

19 this sub-section two (2) of section nine (9) shall not apply to precincts within
20 the territorial limits of an incorporated city or village having a population of
21 two hundred thousand or over.

22 (3) The county central committee of each political party shall consist of
23 the members of various precinct committees and ward committees, if any, of
24 such party in the county. In the organization and proceedings of the county
25 central committee, each precinct committeeman shall have one vote, and one
26 additional vote for each fifty votes or major fraction thereof of his party, cast
27 in his precinct for Governor, at the last general election; and each ward com-
28 mitteeman shall have one vote for each precinct in his ward, and one additional
29 vote for each fifty votes or major fraction thereof of his party, cast in each pre-
30 cinct of his ward for Governor, at the last general election.

31 (4) The congressional committee of each party shall be composed of the
32 chairman of the county central committees of the counties composing the con-
33 gressional district, excepting that in congressional districts wholly within the
34 territorial limits of one county, or wholly within the territorial limits of one
35 county and partly within the territorial limits of another county, then the mem-
36 bers of the precinct committees of the party residing within the limits of the
37 congressional district, shall compose the congressional committee: *Provided,*
38 *however,* that in congressional districts wholly within the territorial limits of an
39 incorporated city or village having a population of two hundred thousand or
40 over, or partly within the limits of such city or village and partly without the
41 limits of such city or village, then the members of the precinct and ward com-
42 mittees of the party of the precincts and wards within the limits of the con-
43 gressional district, shall compose the congressional committee.

44 In the organization and proceedings of congressional committees, composed
45 in whole or in part of precinct committeemen, each precinct committeeman shall
46 have one vote, and one additional vote for each fifty votes or major fraction
47 thereof of his party, cast in his precinct for Governor, at the last general elec-
48 tion, and in the organization and proceedings of congressional committees, com-

posed in whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward, and one additional vote for each fifty votes or major fraction thereof of his party, as cast in each precinct of his ward located in such congressional district for Governor, at the last general election.

(5) The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the city central committee shall be composed of the ward committeemen residing within the territorial limits of such city or village, which said ward committeemen shall be elected at large in their respective wards *at the April primary election, held in April, 1922, and every four years thereafter.*

The word "ward" in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

(6) Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership, proper and necessary subcommittees, and particularly defining, by resolution, the duties of such subcommittees.

(7) The various political party committees now in existence, are hereby recognized and shall exercise the powers and perform the duties herein prescribed, until committeemen are chosen, in accordance with the provisions of this Act.

Sec. 28. The name of no candidate for nomination, or committeeman, or candidate for delegate or alternate delegate to National nominating conventions, shall be printed upon the primary ballot unless a petition for nomination shall have been filed in his behalf as provided in this Act in substantially the following form:

6 "We, the undersigned, members of and affiliated with the.....party
7 and qualified primary electors of said.....party, in the.....
8 of....., in the county of.....and State of Illinois, do
9 hereby petition that the following named person or persons shall be a candidate
10 or candidates of the.....party for the nomination for the office or
11 offices hereinafter specified to be voted for at the primary election held on the
12day of....., A. D.....

13	Name.	Office.	Address.
14	John Jones.....	Governor.....	Belvidere, Illinois.
15	Thomas Smith.....	Attorney General.....	Oakland, Illinois.
16	Name.....	Address.....	
17	State of Illinois,	} ss.	
18County,		

19 I,, do hereby certify that I am upwards of the age
20 of twenty-one years, that I reside at No.....Street, in the.....
21 of.....county of.....and State of Illinois, and that the
22 signatures on this sheet were signed in my presence, and are genuine, and that
23 to the best of my knowledge and belief the persons so signing were at the time
24 of signing said petitions qualified voters of the.....party, and that
25 their respective residences are correctly stated, as above set forth.

26
27
28 Subscribed and sworn to before me this.....day of.....A. D...
29
30

31 Such petition shall consist of sheets of uniform size, and each sheet shall
32 contain above the space for signatures an appropriate heading giving the infor-
33 mation as to name of candidate or candidates, in whose behalf such petition is
34 signed; the office, the political party represented, place of residence, and such
35 other information or wording as required to make the same valid; and the head-

ing of each sheet shall be the same. Such petition shall be signed by qualified primary electors residing in the political division for which the nomination is sought in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, the street number of such residence shall be given). At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the political division for which the candidate is seeking a nomination, stating his residence address (and if a resident of a city having a population of over 10,000 by the then last preceding federal census, also stating the street and number of such residence) certifying that the signatures on that sheet of said petition were signed in his presence, and are genuine; and that to the best of his knowledge and belief the persons so signing were at the time of signing said petitions qualified voters of the political party for which a nomination is sought. Such statement shall be sworn to before some officer of the county in which the person making such statement resides, authorized to administer the oaths therein. Such sheets before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile and fastening them together at one edge in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signatures shall be revoked except by revocation filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such petition. Whoever, in making the sworn statement above prescribed, shall knowingly, wilfully, and corruptly swear falsely, shall be deemed guilty of a perjury, and on conviction thereof, shall be punished accordingly. Whoever forges the name of a signer upon any petition required by this act, shall be deemed guilty of a forgery and on conviction thereof shall be punished accordingly.

65 Petitions of candidates for nominations for offices herein specified, to be filed
66 with the same officer, may contain the names of two or more candidates of the
67 same political party for the same or different offices.

68 Such petitions for nominations shall be signed:

69 (a) If for a State office, by not less than one thousand (1,000) nor more
70 than two thousand (2,000) primary electors of his party;

71 (b) If for a congressional office, by at least one-half of one per cent of the
72 qualified primary electors of his party in his congressional district, as the case
73 may be;

74 (c) If for a judicial office, by at least one-half of one per cent of the
75 qualified primary electors of his party in the district or division for which the
76 nomination is made;

77 (d) If for a county office, by at least one-half of one per cent of the
78 qualified electors of his party cast at the last preceding general election in his
79 county: *Provided*, that if for the nomination for county commissioner of Cook
80 county, then by at least one-half of one per cent of the qualified primary elect-
81 ors of his party in his county in the district or division in which such person is
82 a candidate for nomination.

83 (e) If for a city or village office to be filled by the electors of the entire
84 city or village, by at least one-half of one per cent of the qualified primary
85 electors of his party in his city or village; if for alderman, by at least one-half
86 of one per cent of the voters of his party of his ward.

87 (f) If for a candidate for trustee of a sanitary district, by at least one-
88 half of one per cent of the primary electors of his party, from such sanitary
89 district.

90 (g) If for a candidate for clerk of the Appellate Court, by at least one-
91 half of one per cent of the primary electors of his party of the district.

92 (h) If for a candidate for *precinct* or ward committeeman, by at least
93 *ten qualified voters* of his party *residing in his ward or precinct*.

94 (i) If for any other office, by at least ten (10) primary electors of his
95 party of the district or division for which nomination is made.

Sec. 30. All petitions for nominations shall be filed as follows:

2 1. Where the nomination is to be made for a State, congressional, judicial
3 or appellate court office, or for any office a nomination for which is made for a
4 territorial division of district which comprises more than one county or is partly
5 in one county and partly in another county or counties, then such petition for
6 nomination shall be filed in the office of the Secretary of State not more than
7 sixty (60) and not less than forty (40) days prior to the date of the primary.

8 2. Where the nomination is to be made for a county office, or trustee of a
9 sanitary district (except clerk of the appellate court of the first district), then
10 such petition shall be filed in the office of the county clerk not more than sixty
11 (60) nor less than forty (40) days prior to the date of the primary.

12 3. Where the nomination is to be made for an office to be filled by the
13 electors of an entire city or village, including aldermen, such petitions for nom-
14 ination shall be filed in the office of the city or village clerk not more than thirty
15 (30) nor less than twenty (20) days prior to the date of the primary.

16 4. Where the nomination is to be made for an office to be filled by the
17 electors of a town, then such petition for nomination shall be filed in the office
18 of the town clerk not more than thirty (30) and not less than twenty (20) days
19 prior to the date of the primary.

20 5. *Where the nomination is to be made for ward or precinct committee-*
21 *man, then such petition shall be filed in the office of the county clerk not more*
22 *than twenty nor less than fifteen days prior to the date of the primary.*

23 6. The Secretary of State and the various clerks with whom such petitions
24 for nominations are filed shall endorse thereon the day and hour on which each
25 petition was filed.

26 7. Any person for whom a petition for nomination or committeeman has
27 been filed may cause his name to be withdrawn by request in writing, signed by
28 him and duly acknowledged before an officer qualified to take acknowledgments
29 of deeds, and filed in the office of the Secretary of State not less than thirty-
30 five (35) days, or with the proper clerk not less than twelve (12) days prior to

31 the date of the primary, and no names so withdrawn shall be certified by the
32 Secretary of State to the county clerk, or printed on the primary ballot.

33 8. Each person seeking to be elected as delegate or alternate delegate to
34 the National nominating convention of his party shall file, along with his nom-
35 inating petition, a statement in writing signed by him in which he shall state
36 the name of the candidate of his choice for nomination for President of the
37 United States, or, in lieu thereof, may file a statement to the effect that he has
38 no preference for candidate for President of the United States. The Secretary
39 of State shall not permit a petition of a candidate for delegate or alternate
40 delegate to the National nominating convention to be filed unless accompanied
41 by the statement required in paragraph 8 of this section. Any candidate for
42 President of the United States for whom a preference is stated by any candi-
43 date for delegate or alternate delegate to a nominating convention, may, at any
44 time after the filing of such petition and before the name of such candidate for
45 delegate or alternate delegate to a National nominating convention is certified
46 to the various county clerks for printing, file in the office of the Secretary of
47 State an instrument in writing disavowing the candidacy of the person who has
48 so filed a nominating petition for delegate or alternate delegate to a National
49 nominating convention and in case such candidate for President of the United
50 States shall disavow the candidacy of the candidate for delegate or alternate dele-
51 gate, as aforesaid, the name of such candidate for delegate or alternate delegate
52 so disavowed shall not be certified to the various county clerks for printing upon
53 the official primary ballot.

Sec. 35. The primary ballot of each political party for each precinct shall
2 be arranged and printed substantially in the manner following:

3 1. At the top of the ballot shall be printed in large capital letters, words
4 designating the ballot—if a Republican ballot, the designating words shall be:
5 “REPUBLICAN PRIMARY BALLOT;” if a Democratic ballot, the designat-
6 ing words shall be, “DEMOCRATIC PRIMARY BALLOT;” and in like
7 manner for each political party.

8 2. Beginning not less than one inch below designating words, the name of
 9 each office to be filled shall be printed in capital letters and in the following
 10 order, to-wit: President of the United States, State offices, congressional offices,
 11 judicial offices, clerks of the appellate courts, members of the State central
 12 committee, trustees of sanitary districts, county offices, city and village offices,
 13 town offices, or of such of the said offices as candidates are to be nominated
 14 for at such primary, and ward committeemen.

15 Below the name of each office shall be printed in small letters the directions
 16 to voters: "Vote for one;" "Vote for two;" "Vote for three;" or a spelled
 17 number designating how many persons under that head are to be voted for.

18 Below the name of each office shall be printed in capital letters the names
 19 of all candidates, arranged in the order in which their petitions for nomination
 20 were filed, except as otherwise provided in section 33 of this act, for the nomina-
 21 tion for said offices which are entitled to be placed upon the respective party
 22 primary ballot. Below the name of each candidate for delegate and alternate
 23 delegate to National nominating conventions shall be printed the name of the
 24 candidate for President of the United States for whom such delegate or alter-
 25 nate delegate has expressed a preference, or if no choice has been expressed
 26 shall be printed the words "No preference." The names of all candidates upon
 27 the primary ballot shall be printed in a column. Immediately opposite and in
 28 front of the name of each candidate shall be printed a square and all squares
 29 upon the primary ballot shall be of uniform size. Spaces between the names
 30 of candidates under each office shall be uniform and sufficient spaces shall sepa-
 31 rate the names of candidates for one office from the names of candidates for
 32 another office, to avoid confusion.

Sec. 46. On receiving from the primary judges a primary ballot of his
 2 party, the primary elector shall forthwith and without leaving the polling place,
 3 retire alone to one of the voting booths and prepare such primary ballot by
 4 marking a cross (X) in the square in front of and opposite the name of each
 5 candidate of his choice for each office to be filled. At the primary election at

6 which a precinct *or ward* committeeman is to be elected, the primary elector
7 shall mark with a cross (X) in the square in front of and opposite the name
8 of the candidate of his choice for precinct *or ward* committeeman, as the case
9 may be.

10 Any primary elector may, instead of voting for any candidate for nomina-
11 tion or for committeeman whose name is printed on the primary ballot, write
12 in the name of any other person affiliated with such party as a candidate for
13 the nomination for any office, or for committeeman, and indicate his choice of
14 such candidate or committeeman by placing to the left of and opposite the name
15 thus written a square and by placing in the square a cross (X).



- 1 Introduced by Mr. Fridrichs, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the purpose of creating and establishing a State Park on what is popularly called the “Garrison Hill” tract of land, lying directly opposite the remnant of the site of Old Kaskaskia, to be known and designated, “Kaskaskia State Park.”

WHEREAS, Old Kaskaskia, founded in 1700, being the oldest continuous settlement in the State of Illinois, now nearly obliterated by the Mississippi river, was the center of French influence in the Mississippi Valley for 65 years; and after British domination for a period of 12 years, passed under control of Virginia on July 4, 1778, when subjugated by the intrepid George Rogers Clark and his little army of patriots; this first conquest eventually resulting in acquisition by the United States of the imperial domain of the Northwest Territory; and

WHEREAS, Col. John Todd, appointed commandant by Gov. Patrick Henry of Virginia, in December, 1778, set up the first civil government under American rule at Kaskaskia; it being made the county seat of the county of Illinois,

12 State of Virginia, and so remained until the passage of the Federal Ordinance
 13 of 1787, creating the Northwest Territory, Marietta then becoming the capital
 14 and Gen. Arthur St. Clair appointed Governor. Arriving at Kaskaskia in 1790
 15 the Governor proceeded to Cahokia and erected the first County in the West,
 16 naming it St. Clair, and in 1795 he proclaimed Randolph County, embracing the
 17 southern part of the present State of Illinois, and established the county seat at
 18 Kaskaskia; and

19 WHEREAS, In 1800 when Indiana was made a territory, Kaskaskia remained
 20 the county seat of Randolph County, and was advanced to the dignity of Capital
 21 of the new Territory of Illinois in 1809 when this commonwealth attained that
 22 position, succeeding to supreme honor on December 3, 1818, when Illinois was
 23 admitted to the constellation of stars in the American Union, by being named
 24 the first capital of the infant State, losing it two years later to Vandalia. The
 25 foregoing is the merest outline, a brief epitome of political happenings at Kas-
 26 kaskia, during this 120 year period of Illinois' existence; it would require vol-
 27 umes to detail the story. Here was centered the society, the commerce, the poli-
 28 tics of a vast region, and was the home of men eminent in all walks of life—the
 29 names of Edwards, Bond, Kane, Pope, Menard, Edgar, Shields, Reynolds, Cook,
 30 McLean, Breese, Piatt, Stephenson, Thomas, Rector, Duncan and many others
 31 shine on the pages of early Illinois history, and they all labored and worthily
 32 accomplished at Old Kaskaskia the building of a secure foundation on which
 33 this great commonwealth rests; and

34 WHEREAS, Opposite the site of the remnant of Old Kaskaskia lies the "Gar-
 35 rison Hill" tract of land containing the ruins of the Old French Fort Kaskaskia.
 36 (erroneously called Fort Gage) erected by Commandant St. Ange de Bellerive
 37 in 1734, and destroyed in 1766 by citizens of Kaskaskia to prevent British occu-
 38 pation; at the foot of the hill is the colonial mansion of the first Lieutenant Gov-
 39 ernor of the State, Col. Pierre Menard, where the illustrious Lafayette and othe-
 40 distinguished visitors were entertained. In the near vicinity are other point-
 41 of historic interest, including Senator Kane's Tomb and ruins of Gen. Edgar'

42 Mill. From the summit of "Garrison Hill" is spread before the beholder a
43 landscape of surpassing beauty, encompassing many miles of Missouri high-
44 lands, in the remote distance, the windings and reaches of the great river Missis-
45 sippi in its superb grandeur, the exquisite pastoral scene represented by Kaskas-
46 kia Island in the foreground, with the spire of the church of Marquette's origi-
47 nal Mission of the Immaculate Conception piercing the sky in the centre, and the
48 forest-clad hills and dales, palisaded bluffs bubbling springs and sparkling brooks
49 in the near vicinity; wherefore, it is eminently proper that this exquisite pic-
50 ture of natural scenery surcharged as it is with a wealth of transcendent his-
51 toric memories that radiate from this hallowed shrine should be forever pre-
52 served for the benefit and enjoyment of all the people of the State; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and hereby is appropriated
3 the sum of \$25,000 for the purpose of creating and establishing a State Park upon
4 the "Garrison Hill" tract of land in Randolph County, Illinois, to be known as the
5 Kaskaskia State Park.

Sec. 2. The Department of Public Works and Buildings is hereby author-
2 ized and empowered to obtain title to so much of said aforementioned land as it
3 may deem necessary. The conveyance of such title after same has been passed
4 upon and approved, shall be taken in the name of the People of the State of Illi-
5 nois, and the title, deeds and other evidence of title shall be deposited in the
6 office of the Secretary of State.

Sec. 3. In case the Department of Public Works and Buildings cannot ac-
2 quire title to the land necessary for such public park at a reasonable price in the
3 opinion of said Department, then the said department is hereby vested with
4 power, in the name of the People of the State of Illinois, to obtain title to such
5 land or any part or parcel thereof, by condemnation under the eminent domain
6 laws of this State: *Provided*, that all negotiations and legal proceedings pro-
7 vided for under this Act shall be under the direct supervision of the Attorney
8 General of this State.

Sec. 4. In carrying out the provisions of this Act, the said Department of
2 Public Works and Buildings shall in all things and in all of its transactions be
3 governed by Sections 2, 3, 7, 8, 8½ and 9 of "An Act in relation to the acquisition,
4 control, maintenance and protection of State Parks, and making an appropriation
5 to carry into effect the provisions of this Act", approved June 10, 1911, in
6 force June 10, (July 1), 1911, and all Acts amendatory thereto.



- 1 Introduced by Mr. E. A. W. Johnson, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit the manufacture, sale, distribution and use of stench bombs
and similar devices.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any person who shall manufacture,
3 sell, distribute or use, or who shall attempt to manufacture, sell, distribute or
4 use, or who shall have in his possession for the purpose of using, or who shall
5 abet in the use of or who shall in any way assist in the use of any stench bomb
6 or any other similar device, whether explosive or otherwise, designed for the
7 emission or diffusion of noisome stench, smells or odors and having a ten-
8 dency to render any premises on or near which such stench, smells or odors
9 are diffused dangerous to health, or otherwise offensive, shall be deemed guilty
10 of a felony, and upon conviction thereof, shall be punished by imprisonment in
11 the penitentiary for life or for a term of not less than one year.





- 1 Introduced by Mr. G. J. Johnson, March 29, 1921.
- 2 Read by title, ordered printed and referred to committee on Roads and Bridges.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, by adding thereto an additional section, to be known as Section 138a.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to roads and bridges," approved June 27, 1913, in force July
4 1, 1913, as amended, be, and the same is hereby amended, by adding thereto an
5 additional section to be known as Section 138a, and to read as follows:

Sec. 138a. *That whenever a ditch has been heretofore or may hereafter be*
2 *constructed between any farm land and public highway, so as to obstruct the*
3 *free passage from said land to the public highway, said ditch having been con-*
4 *structed either by the road authorities of any township, or by any drainage dis-*
5 *trict, then the road authorities of such township shall, upon demand of the*
6 *owner of said land, construct a good and sufficient bridge or culvert, as the*
7 *case may be, at the expense of the township, such bridge or culvert to be of*

8 *such proportions as to give the owner of said land free and safe passage from*
9 *his said land to the highway for any and all transportation, such as is commonly*
10 *used upon the farms of Illinois.*



1 Introduced by Mr. Kauffman, March 29, 1921.

2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to amend Sections 28, 35, 39 and 43 of the "Game and Fish Code of Illinois," approved June 24, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 28, 35, 39 and 43 of the "Game
3 and Fish Code of Illinois," approved June 24, 1919, in force July 1, 1919, are
4 amended to read as follows:

Sec. 28. It shall be unlawful:

2 (a) To use or operate, or attempt to use or operate, in the taking or catch-
3 ing of any fish, a trammel net, a snare, a spear, a gig, a grain, firearms of any
4 kind, or a jack or artificial light of any kind, except such as may be used
5 strictly for illuminating purposes and not for the purpose of luring or attract-
6 ing fish.

7 (b) To catch, take or kill, or attempt to catch, take or kill, any fish by the
8 use of lime, acid, medical, chemical or mechanical compound or dope of any
9 medicated drug or any coculus indicus or fish berry, or any dynamite, or giant
10 powder, nitro glycerine or other explosive.

11 (c) To have erected or use while fishing on or through ice, any house,
 12 shed, tent or shanty or other structure so constructed as to wholly, or in part,
 13 exclude the daylight, or which may be used for the purpose of concealment.

14 (d) To catch, take or kill, in any manner or by any means, any fish in,
 15 or from any water in any quarry, quarry hole, natural or artificial lake, fish
 16 pond or reservoir, or other artificial or natural depression, without the consent
 17 of the owner or the person in charge thereof.

18 (e) To catch, take or kill in any manner, or by any means, or to attempt
 19 to catch, take or kill in any manner or by any means, any fish within one hun-
 20 dred feet of any dam wholly or partly crossing any stream or any other body
 21 of water.

22 (f) *To catch, take or kill or attempt to catch, take or kill in any one day*
 23 *more than fifteen of the following fish: Black bass, crappie, calico bass, pick-*
 24 *erel, pike, pike perch (commonly known as wall-eyed pike, jack, or yellow*
 25 *salmon).*

26 (g) *For any person to have in his possession at any one time more tha*
 27 *thirty of the fish enumerated in paragraph (f) of this section.*

Sec. 35. SQUIRRELS.] It shall be unlawful:

2 (a) To hunt, kill, take or destroy, or attempt to hunt, kill, take or d-
 3 stroy squirrels except between the 1st day of *August* and the 1st day of Decem-
 4 ber, both inclusive, of each year.

5 (b) For any person to kill, in any one day, in excess of ten squirrels.

6 (c) For any person to have in his or her possession, at any one time, n
 7 excess of twenty squirrels.

8 (d) To buy, sell or barter, or offer to buy, sell or barter, or for any col-
 9 mercial institution, commission house, restaurant or café keeper, to have squ-
 10 rels in possession, whether killed or taken within or without the State, or lar-
 11 fully or unlawfully killed or taken.

Sec. 39. UNLAWFUL TO HUNT WITHOUT.] It shall be unlawful:

2 To hunt, take, pursue or kill *with a gun, or by any other means*, any of
3 the game, wild animals, frogs, wild fowls or birds protected or named in this
4 Act, without first having procured a license so to do, and then only during the
5 respective periods of the year when it shall be lawful. *And it shall be unlawful*
6 *to take, catch or kill with a gun or by any other means any fur-bearing animal*
7 *protected by this Act, without having first procured a trapping license, as pro-*
8 *vided in Sections 43 to 47, inclusive of this Act.*

Sec. 43. It shall be unlawful:

2 To trap or attempt to trap, *or to take, catch or kill by any other means*
3 any of the fur-bearing animals protected by this Act, without first having pro-
4 cured a license so to do.



- 1 Introduced by Mr. Marinier, March 29, 1921.
2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 1 of an Act entitled, "An Act to provide for the formation and disbursement of a public library employee's pension fund in cities having a population exceeding 100,000 inhabitants," approved May 12, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 1 of an Act entitled, "An
3 Act to provide for the formation and disbursement of a public library em-
4 ployees' pension fund in cities having a population exceeding 100,000 inhabi-
5 tants," approved May 12, 1905, in force July 1, 1905, be and the same is hereby
6 amended to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Board of Directors of public
3 libraries organized under an Act of the General Assembly of the State of Illi-
4 nois, entitled, "An Act to authorize cities, incorporated towns and townships to
5 establish and maintain free public libraries and reading rooms," approved and

6 in force March 7, 1872, and maintained thereunder in cities having a popula-
7 tion exceeding one hundred thousand inhabitants shall have power and it shall
8 be its duty to create a public library employees' pension fund, which shall con-
9 sist of amounts retained from the salaries or wages of employees, as herein-
10 after provided, which amounts shall be deducted in equal monthly installments
11 from such salaries or wages at the regular time or times of the payment there-
12 of, *all fines collected under authority of Section 8 of the Act herein referred*
13 *to by its title*, and such other moneys derived from miscellaneous sources as
14 the Board of Directors shall determine.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 530

1921



3 Adopted April 27, 1921.

AMENDMENT NO. 1.

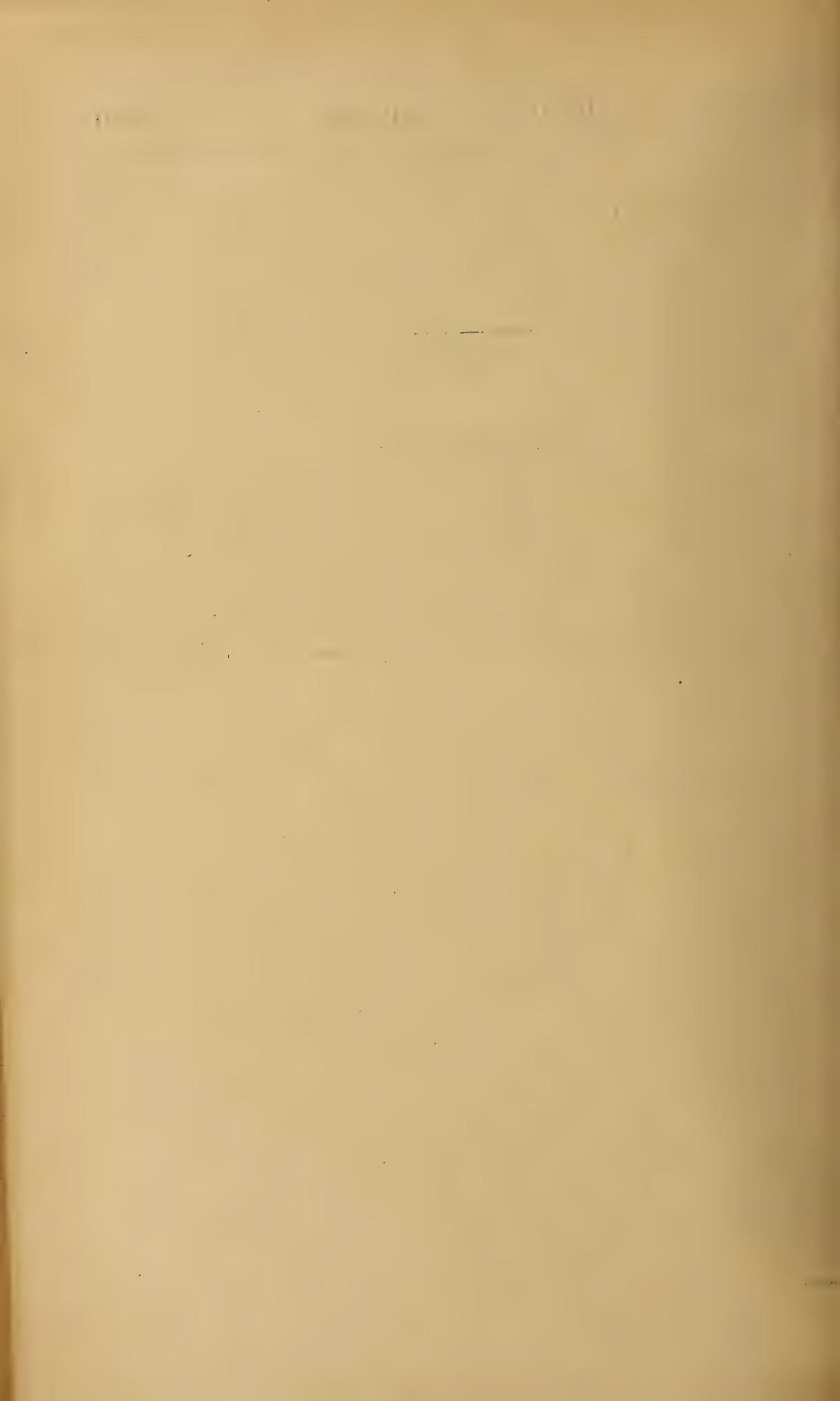
Amend House Bill No. 530 by striking out the words “all fines collected

2 under authority of Section 8” appearing in line 12 of the printed bill and by

3 substituting the words “all fees or penalties collected for retention of books be-

4 yond the time prescribed by rule of the Board of Directors by virtue of by-laws,

5 rules and regulations adopted under authority of Section 5” in lieu thereof.





- 1 Introduced by Mr. Moore, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to add Section 154a to "An Act to revise the law in relation to roads and bridges," approved June 27, 1913 in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois.*

- 2 *represented in the General Assembly:* Section 154a is added to "An Act to re-
- 3 vise the law in relation to roads and bridges," approved June 27, 1913, in force
- 4 July 1, 1913, as amended, to read as follows:

Sec. 154a. *No carriage or wagon with metal tires (ther than a motor ve-*
2 *hicle as defined in the Motor Vehicle Law) shall be driven upon, over or across*
3 *any highway of this state outside the corporate limits of any city, town or vil-*
4 *lage, with a gross weight, including the weight of carriage and load, exceeding*
5 *two and three-fourths tons (2 3/4), if any of the tires on such carriage or wagon*
6 *do not exceed three and one-half (3 1/2) inches in width; or with a gross weight*
7 *including the weight of the carriage and load, exceeding three and three-fourths*
8 *(3 3/4) tons, if any such tires do not exceed four (4) inches in width; or with a*
9 *gross weight, including the weight of the carriage and load, exceeding four and*

10 *three-fourths ($4\frac{3}{4}$) tons, if any of such tires do not exceed four and one-half*
11 *($4\frac{1}{2}$) inches in width. Any person who violates any of the provisions of this*
12 *section shall be fined not less than ten dollars (\$10.00) nor more than two hun-*
13 *dred dollars (\$200.00).*
14 *The above law to be in force two years from the date of enactment.*

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 531

1921



1 Adopted June 10, 1921.

AMENDMENT NO. 3.

Amend printed House Bill No. 531, on page 1, in Section 1, by striking out
2 all of said section after the enacting clause and inserting in lieu thereof the
3 following:

4 "An Act entitled 'An Act to revise the law in relation to roads and
5 bridges,' approved June 27, 1913, in force July 1, 1913, as amended, is
6 amended, by adding thereto a new section, to be known as Section 154a, to
7 read as follows:"

AMENDMENT NO. 4.

Amend printed House Bill No. 531, on page 2, in Section 154a, by striking
2 out all of line 14 and inserting in lieu thereof the following: "This section
3 shall take effect and be in force from and after July 1, 1926."

AMENDMENT NO. 5.

Amend printed House Bill No. 531, on page 1, by amending the title to
2 read as follows:

3 "A BILL

4 For an Act to amend an Act entitled 'An Act to revise the law in relation to
5 roads and bridges,' approved June 27, 1913, in force July 1, 1913, as
6 amended, by adding thereto a new section, to be known as Section 154a."



- 1 Introduced by Mr. Mueller, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the better protection of any person, firm or corporation expending labor, skill or materials upon, or furnishing storage for, any chattel, creating a lien upon such chattel, and providing for the enforcement of such lien.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* Every person, firm or corporation who
 - 3 has expended labor, skill or materials upon any chattel, or has furnished stor-
 - 4 age for said chattel, at the request of its owner, reputed owner, or authorized
 - 5 agent of the owner, or lawful possessor thereof, shall have a lien upon such
 - 6 chattel beginning on the date of the commencement of such expenditure of labor,
 - 7 skill and materials or of such storage for the contract price for all such expen-
 - 8 diture of labor, skill or materials, or for all such storage, or in the absence of
 - 9 such contract, price for the reasonable worth of such expenditure of labor, skill
 - 10 and materials, or of such storage, for a period of one year from and after the
 - 11 completion of such expenditure of labor, skill or materials, or of such storage,
 - 12 notwithstanding the fact that the possession of such chattel has been surrendered
 - 13 to the owner, or lawful possessor thereof.

Sec. 2. Such lien shall cease at the expiration of sixty (60) days from the date of delivery of such chattel to the owner thereof, or his duly authorized agent, unless the lien claimant shall within sixty (60) days, file in the office of the recorder of deeds of the county in which said labor, skill and materials were expended on such chattel, or storage furnished for such chattel, a lien notice, which notice shall state the name of the claimant, the name of the owner or reputed owner, a description of the chattel, sufficient for identification, upon which the claimant has expended labor, skill and materials, or has furnished storage, the amount for which the lien is claimed, and the date upon which such expenditure or storage was completed, which notice shall be verified by the oath of the claimant, or by some one in his behalf, having personal knowledge of the facts, and may be in substantially the following form:

..... Claimant, v. Defendant.
 Notice is hereby given that.....claims a lien upon
 (describe the property) for, and on account
 of labor, skill and materials expended upon, and storage furnished for the....
 (property); that the name of the owner or reputed owner,
 is; that the said labor, skill and materials were expended,
 or storage furnished upon the said property between the..... day of
, and the.....day of, and the
 rendition of the labor, skill and materials so expended, or storage furnished by
 the claimant above named was completed on the.....day of
; that sixty days have not elapsed since that time; that the
 amount claimant demands for said labor, skill and materials so expended, or
 storage furnished, is \$.....;that no part thereof has been paid excep
 \$.....;and that there is now due and remaining unpaid thereon
 after deducting all just credits and offsets, the sum of \$..... in which
 amount he claims a lien upon said property.

(Signed) Claimant
 Address of Claimant

32 State of Illinois, }
 33 County of } ss.

34 I, having been first duly sworn, on oath say
 35 that I am. named in the foregoing claim; that I have heard
 36 the same read, and know the contents thereof, and believe the same to be true.
 37

38 Subscribed and sworn to before me thisday of

Sec. 3. Upon the presentation of such notice to the recorder of deeds of
 3 any county, it shall be the duty of the said recorder of deeds to file the same
 4 in his office and to index the same in a book to be kept by him for that purpose
 5 and called "index of liens upon chattels." The recorder of deeds shall be
 6 entitled to charge and receive from the person filing such notice of lien the same
 7 fee received by him for the recording of other written instruments.

Sec. 4. The lien created by this Act shall be subject to the lien of any
 2 bona fide chattel mortgage upon the same chattel recorded prior to the com-
 3 mencement of any lien herein created, but said lien herein created shall be in
 4 addition to, and shall not exclude, any lien now existing at common law.

Sec. 5: Any lien provided for in this Act may be released and discharged
 2 by the lien claimant, or his agent, filing for record with the recorder of deeds
 3 a satisfaction piece, which shall be acknowledged in the same manner as pro-
 4 vided by law for the acknowledgment of deeds, which shall also be indexed in
 5 the "index of liens upon chattels." The owner of said chattel may also file
 6 with the recorder of deeds any written document which would show or tend to
 7 show the non-existence, satisfaction, or termination of such lien, which written
 8 document shall also be indexed in the "index of liens upon chattels."

Sec. 6. Liens provided for in this Act may be foreclosed by suit in chancery
 2 in the circuit court of any county in the State of Illinois, or they may be fore-
 3 closed by advertisement and sale of the chattel, subject to the lien, in the follow-
 4 ing manner: That the person or claimant, desiring to foreclose such lien by

5 advertisement and sale, shall deliver to the sheriff of the county in which such
6 chattel is then situated, a certified copy of the notice of lien duly certified to
7 by the recorder of deeds where the same was filed, with the request endorsed
8 thereon, signed by the claimant, or his attorney, for the foreclosure of said
9 lien. Thereupon said sheriff, upon the claimant giving to him a bond as in
10 cases of replevin, shall take the property described in said notice of lien into
11 his possession, and for such purpose shall have power to enter any building,
12 garage or other enclosure where the same may be stored or held, in the same
13 manner as provided by law under a writ of replevin, and shall at the time of
14 such taking, deliver to the person having possession of such chattel, if such
15 chattel is found in the possession of any person, and mail, postage prepaid,
16 to the owner or reputed owner and to any mortgagee or his assignee, if known,
17 having duly recorded unpaid chattel mortgage upon the chattel described in
18 such lien, a copy of said lien notice, certified to by the lien claimant or his at-
19 torney, together with an itemized bill of particulars of the said lien claimant's
20 demand, also certified to by such lien claimant or his attorneys; the person or
21 persons claiming to own or to have an interest in the said property, may at any
22 time within ten days after such service and mailing of notice herein provided
23 for, deliver to the sheriff a written and verified denial of any allegation con-
24 tained in said lien notice or bill of particulars, and if such denial or any alle-
25 gation contained in said lien notice or bill of particulars, and if such denial or any
26 allegation of payment on the part of any such person, or persons, be so made
27 and served upon the officer then in possession of said chattel, such officer shall
28 then and in such case retain the possession of said personal property, subject
29 only to the order or orders of the circuit court having jurisdiction of the
30 parties, or the subject matter, in a foreclosure suit to be prosecuted by such
31 lien claimant, which foreclosure suit shall be begun and prosecuted within an
32 additional period of ten days from the time of service upon such officer of such
33 denial or allegation of payment. In such case, if the lien claimant shall fail to
34 commence, and prosecute such foreclosure suit within such period of ten days,

35 the sheriff shall release the said personal property from such levy and deliver
36 the same to the person or persons having, or claiming, an interest therein. If
37 such suit be commenced within said period of ten days, the sheriff shall retain
38 the property in his possession subject to the final judgment or decree of the
39 court in such suit. If the person claiming to own said personal property, or to
40 have an interest therein, or someone in his behalf, shall not, within the period
41 ten days herein provided for, make a written denial of any allegation con-
42 tained in said lien notice or bill of particulars, or allege full or partial payment
43 of the sum demanded by lien claimant, the said sheriff shall advertise the said
44 property for sale in the manner provided by law for the sale of personal prop-
45 erty on execution, for a period of not less than ten days, and after giving such
46 notice of sale, shall sell such chattel at public auction to the highest bidder for
47 cash, to satisfy such lien, accrued interest, costs of seizure and filing and re-
48 cording such lien and certified copies thereof, and storage; and the proceeds
49 derived from such sale shall be applied to the payment of costs as herein pro-
50 vided, and the amount of such lien and accrued interest in the order named, and
51 the overplus, if any there be, shall be paid to the owner of such chattel; pro-
52 vided, that any person claiming to own or to have an interest in the said per-
53 sonal property, shall, after making such denial of any material allegation in
54 the lien notice or bill of particulars, or alleging payment in whole or in part of
55 the lien claimed, make, execute and cause to be delivered to the sheriff then hav-
56 ing the possession of such chattel, a good and sufficient undertaking executed by
57 one or more sufficient sureties in the sum of not less than one hundred dollars
58 (\$100.00), and equal to double the amount of the lien claimed, undertaking to
59 redeliver such chattel in like order and condition as it was when seized, to the
60 sheriff upon demand of such officer having an execution issued upon any judg-
61 ment, or in lieu thereof to pay to the lien claimant any judgment which such
62 lien claimant, or his personal representative or assigns may recover against
63 the defendant, or defendants, in any foreclosure suit that may be brought to
64 foreclose such lien within the period above mentioned, and further conditioned

65 in said bond, any attorney of any court of record, shall thereby be authorized
 66 irrevocably to appear for said principal or surety, jointly or severally at any
 67 time thereafter, and enter the appearance of said principal or surety in any
 68 foreclosure suit relating to said property, then pending or thereafter to be
 69 commenced, without process, as a party defendant, then such sheriff shall de-
 70 liver such personal property to such person, or persons, executing said under-
 71 taking. Such sheriff shall pass upon the sufficiency of such undertaking and
 72 the sureties thereon; providing, that the circuit court having jurisdiction in any
 73 foreclosure suit shall at the time of rendering judgment and decree of fore-
 74 closure, make and enter an alternative decree directing the principal and surety
 75 to forthwith surrender said chattel to the sheriff to be dealt with in accordance
 76 with the terms of said decree, or in lieu thereof, to pay to the lien claimant the
 77 amount of said judgment; and, provided further, that said judgment shall
 78 thereupon be entered and docketed against said principal and surety; provided
 79 further, that any defendant may, in lieu of the bond of surety above provided
 80 for, deposit with the sheriff a sum of money equal to the amount of claimant's
 81 lien, together with an additional sum of (\$50.00) fifty dollars, said moneys to be
 82 held in lieu of such bond and from which sums claimant's judgment may be paid
 83 after execution issued.

Sec. 7. In all cases where suit is brought in the circuit court of any county
 2 in the State of Illinois for the purpose of foreclosing the lien herein provided,
 3 the court shall, upon entering judgment for the complainant, allow as a part of
 4 the costs in said suit all moneys paid, if any, for the foreclosure by advertise-
 5 ment and sale of the chattel under Section 6 of this Act, together with the costs
 6 of filing and recording such lien and certified copies thereof.

Sec. 8. The invalidity of any section or sections of this Act shall not affect the
 2 validity of the remainder of this Act. If for any reason Section 6 of this Act
 3 shall be held to be invalid, the liens provided for in this Act may be foreclosed
 4 by bill in equity in the circuit court of any county in the State of Illinois having
 5 jurisdiction of the persons or the subject matter.



- 1 Introduced by Mr. Rice, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 10 of "An Act to regulate the practice in courts of chancery," approved March 15, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 10 of "An Act to regulate the
3 practice in courts of chancery," approved March 15, 1872, in force July 1, 1872,
4 as amended, is amended to read as follows:

Sec. 10. In any pending suit in chancery, the clerk, at any time when re-
2 quired, shall, without an order of court, issue *alias, pluries* or process, to any
3 county for any defendant until such defendant shall be served.

AMENDMENT TO

52d G. A.

HOUSE BILL, NO. 533

1921



1 Adopted April 28, 1921.

AMENMENT NO. 1.

Amend printed House Bill No. 533, in Section 10, line 2, by inserting before

2 word "process" the word "other."

Adopted April 27, 1851.

RESOLUTION

That the sum of \$100,000 be appropriated for the purchase of land for the establishment of a national observatory.

Approved April 27, 1851.



- 1 Reported from House May 12, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 10 of "An Act to regulate the practice in courts of chancery," approved March 15, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 10 of "An Act to regulate the
3 practice in courts of chancery," approved March 15, 1872, in force July 1, 1872,
4 as amended, is amended to read as follows:

Sec. 10. In any pending suit in chancery, the clerk, at any time when re-
2 quired, shall, without an order of court, issue *alias, pluries* or *other* process, to
3 any county for any defendant until such defendant shall be served.



- 1 Introduced by Mr. Searcy, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

A BILL

For an Act to amend Section 12 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force November 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 12 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force November 1, 1905, as subsequently amended, be and the same is hereby amended to read as follows:*

Sec. 12. No officer or employee in the classified civil service shall be removed or discharged except for cause, upon written charges, and after an opportunity to be heard in his own defense. Such charges shall be investigated by or before said Civil Service Commission, or by or before some officer or board appointed by said Commission to conduct such investigation. The finding and decision of such Commission or of such investigating officer or board, when approved by said Commission, shall be certified to the appointing

8 officer, and shall be forthwith enforced by such officer. Nothing in this Act
9 shall limit the power of any officer to suspend a subordinate for a reasonable
10 period, not exceeding thirty days. Every such suspension shall be without
11 pay: Provided, however, that the Commission shall have authority to investi-
12 gate every such suspension, and in case of its disapproval thereof, it shall have
13 power to restore pay to the employee so suspended. In the course of any
14 investigation provided for in this Act each member of the Commission, and
15 of any board so appointed by it, and any officer so appointed, shall have the
16 power to administer oaths and shall have power to secure by subpoena both
17 the attendance and testimony of witnesses, and the production of books and
18 papers. Nothing in this section shall be construed to require such charges in
19 case of laborers or in case of persons having custody of public money for the
20 safe keeping of which another person has given bonds. (As amended by Act
21 approved June 10, 1911. In force July 1, 1911. L. 1911, pa. 222.)



- 1 Introduced by Mr. Shearer, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 1 of "An Act concerning fees and costs," approved
June 15, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of "An Act concerning fees and
3 costs," approved June 15, 1887, in force July 1, 1887, is amended to read as fol-
4 lows:

Sec. 1. Whenever any party to any suit or proceeding in any court of record
2 in this State, desires to take an appeal or prosecute a writ of error from any
3 judgment, or decree of such court, rendered in any such suit or proceeding, to
4 the Appellate or Supreme Court, and shall present to the clerk of such court,
5 where such judgment or decree was rendered, a fair copy of the bill of excep-
6 tions or certificate of evidence, or other papers not of record in such cause, nec-
7 essary to be transcribed, the clerk shall, in making up the transcript of the rec-
8 ord for such appeal or writ of error, be allowed three cents for each one hundred
9 words, for comparing such copies with the originals, or with the record thereof,

10 and for correcting any errors in the same: *Provided*, that in no case shall the
11 fee for such services be less than one dollar; and he shall insert such copy in
12 the record and certify to the same as a part thereof. And the party furnishing
13 such transcript, and who shall be successful on such appeal or writ of error,
14 shall recover as costs against the unsuccessful party not furnishing such tran-
15 script, *the amount of fees paid to the clerk of the court from which the appeal*
16 *was taken or to which the writ of error was directed, for making up the record:*
17 *Provided*, that the parties to such appeal or writ of error, may by agreement,
18 have the original bill of exceptions, or certificate of evidence, instead of a copy,
19 incorporated in such transcript of the record, without paying, or being liable to
20 pay, any fees or costs therefor.

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 535

1921



1 Adopted April 26, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 535, in line 1, page 2, by striking the words
2 "paid to" after the word "fees" and inserting in lieu thereof the words "author-
3 ized by law, charged by"

AMENDMENT NO. 2.

Amend printed House Bill No. 535, in line 16, by striking out the semi-colon
2 and inserting in lieu thereof a comma, and inserting after the coma and before
3 the word "Provided" in line 17, the following words: "and the amount of fees
4 authorized by law, charged by the reporter for preparing the transcript of the
5 evidence in said cause."



- 1 Introduced by Mr. Smejkal, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend "An Act in relation to the payment of the public money of the State into the State treasury," approved June 9, 1911, in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: "An Act in relation to the payment of public money of the State into the State treasury," approved June 9, 1911, in force July 1, 1911, is amended to read as follows:*

Sec. 1. *It is the duty of every officer, board, commission, commissioner, department and institution of the State of Illinois who receives money for and on behalf of the State, to keep in proper books in form prescribed by the Auditor of Public Accounts a detailed itemized account of all moneys so received showing the date of receipt, by whom paid and amount of payment, and the date and manner of disbursement as hereinafter provided, and to pay into the State treasury the gross amount of money so received not later than ten days after the receipt of same without any deduction on account of salaries,*

9 fees, costs, charges, expenses or claims of any description whatever. No such
 10 money belonging to or for the use of the State shall be expended or applied
 11 except in consequence of an appropriation made by law and upon the warrant
 12 of the Auditor of Public Accounts. Every such officer, board, commission,
 13 commissioner, department or institution receiving money as aforesaid shall,
 14 on or before the second Wednesday of January, April, July and October of each
 15 year file in the office of the Auditor of Public Accounts a detailed balanced
 16 statement in form prescribed by the Auditor of Public Accounts of such re-
 17 ceipts for the preceding fiscal quarter showing dates of remittances verified by
 18 the oath or affirmation of the officer or employee making and filing such state-
 19 ment. All moneys so paid into the State treasury shall, unless required by some
 20 statute to be held in the State treasury in a separate or special fund, be cov-
 21 ered into the General Revenue in the State treasury.

22 However, the provisions of this section do not apply to any officers, boards,
 23 commissions, commissioners, departments or institution whose duty to receive
 24 money for and on behalf of the State and account for the same is otherwise
 25 specially provided for by law.

Sec. 2. It is the duty of every officer, board, commission, commissioner,
 2 department and institution of the State of Illinois to deposit with the State
 3 Treasurer any money now held or hereafter received for or on behalf of the
 4 State under protest, together with a statement showing the date and amount
 5 of payment, by whom paid and a short statement of the nature of the ground
 6 upon which such payment is protested. The State Treasurer shall be ex-officio
 7 treasurer of such moneys which shall not become part of the funds of the State
 8 of Illinois except as hereinafter provided. The State Treasurer shall pay such
 9 moneys to the person or persons entitled to the same or into the State Treasury
 10 upon order of the officer who received such moneys under protest, or his suc-
 11 cessor. If no such order is received by the State Treasurer, he shall at the
 12 expiration of one year from the time of the receipt of said moneys turn the

13 *same into the proper fund in the State Treasury. Such payment into the State*
14 *Treasury shall not limit in any manner the right of the person paying under*
15 *protest to present his claim to the Court of Claims nor prevent the General*
16 *Assembly from appropriating money to pay the claims. All such money shall*
17 *be received by the State Treasurer and paid out by him upon order of the*
18 *Auditor of Public Accounts and the Auditor of Public Accounts shall keep an*
19 *account of all such moneys received, disbursed and turned into the State*
20 *Treasury as herein provided.*

Sec. 3. The Auditor of Public Accounts shall, at all times, have the right
2 to examine all the books, documents, memoranda, files, papers, and records of
3 any officer, board, commission, commissioner, department or institution, re-
4 ceiving money as aforesaid, to verify the accuracy of the account required by
5 this Act to be kept.

Sec. 4. Any officer named herein, or any officer, employee or servant of
2 any board, commission, commissioner, department of institution receiving
3 money as aforesaid, who wilfully *fails* or *neglects* to keep a detailed itemized
4 account of all moneys received, as required by this Act, or who *makes* a false or
5 fraudulent entry of the same, or who *refuses* to permit the Auditor of Public
6 Accounts to have free and unrestricted access to the books, documents, memo-
7 randa, papers, files, and records in his custody or possession, or who wilfully
8 *fails, neglects* or refuses to file with the Auditor of Public Accounts the state-
9 ment required by this Act, *is* guilty of a misdemeanor and shall be punished by
10 a fine in any sum not exceeding one thousand dollars, or by imprisonment not
11 exceeding one year, or by both such fine and imprisonment.



- 1 Introduced by Mr. Smejkal, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to add Section 6a to an Act entitled, "An Act in Relation to State Finance", approved June 10, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: "An Act in Relation to State Finances",*
3 *approved June 10, 1919, in force July 1, 1919, is amended by adding thereto Sec-*
4 *tion 6a to read as follows:*

Sec. 6a. The gross amount of money received by the State Normal Schools
2 from whatever source, including tuition, board, sale of farm products and text
3 books, belonging to or for the use of said Normal Schools or the State of Illinois,
4 shall be paid into the State Treasury not later than ten days after the receipt of
5 same, without any deduction on account of salaries, fees, costs, charges, expenses
6 or claims of any description whatever and shall be covered into the State Treas-
7 ury in a special fund to be known as the "Normal Schools Revolving Fund."

8 The money belonging to the State Normal Schools or the State of Illinois
9 in the hands of the State Normal Schools or the officials, employes or agents

10 thereof on July 1, 1921, shall be transmitted forthwith to the State Treasurer
11 and be covered into the Normal Schools Revolving Fund except that the sum of
12 \$1,000 may be retained by each Normal School as an "Advanced Fund." Said
13 "Advanced Fund" shall be handled on the Imprest system and disbursements
14 shall be made therefrom following a plan authorized by the Director of the De-
15 partment of Registration and Education and approved by the Director of the
16 Department of Finance. Said funds shall be replenished from time to time by
17 warrants of the Auditor of Public Accounts payable by the State Treasurer
18 from the Normal Schools Revolving Fund in accordance with the appropriations
19 made by the General Assembly upon itemized, receipted vouchers certified to by
20 the Presidents of the respective Normal Schools and approved by the Director
21 of the Department of Registration and Education and the Director of the De-
22 partment of Finance. Each State Normal School shall, on or before the second
23 Wednesday of January, April, July and October of each year, file in the office of
24 the Auditor of Public Accounts a detailed balanced statement in form pre-
25 scribed by the Auditor of Public Accounts of all receipts for the preceding fiscal
26 quarter, verified by the oath or affirmation of the officer or employe making and
27 filing such statements. A copy of such statement shall at the same time be filed
28 with the Department of Registration and Education.

29 Nothing in this Act shall be construed to prohibit the State Normal Schools
30 or its officers continuing the administration of or receiving for administration
31 trust funds, gifts or legacies.



1 Adopted April 26, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 537, as printed in the House, in Section 6a of Section

2 1, page 2, line 29, by striking out the following words: "The State Normal
3 Schools" and insert in lieu thereof the following words: "Any State Normal
4 School."



- 1 Introduced by Mr. Thon, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to the issuance of the writ of certiorari by Circuit Courts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The circuits of this State shall have
3 jurisdiction to issue the writ of *certiorari* directed to voluntary associations,
4 lodges, clubs, fraternal or fraternal beneficiary societies, except religious or-
5 ganizations and associations, whether incorporated or unincorporated, includ-
6 ing orders and organizations using a ritualistic form and practice.

7 This writ shall be issued upon the petition of any member of such organiza-
8 tion, and membership in such an organization shall be a sufficient property
9 right without any other showing in that regard.

10 If it shall be found upon examination of the record or proceeding of any
11 such society that any member has been denied the protection of the laws of the
12 organization, or has been disciplined, suspended or expelled for any cause not
13 mentioned in the constitution, by-laws, rules or regulations of such society, the
14 record and proceedings in that regard shall be quashed and the member rein-
15 stated by the court.

Sec. 2. Because of an emergency, this Act shall take effect upon its passage.



- 1 Introduced by Mr. Tourtillott (by request), March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to provide for the construction of a monument in commemoration of the services of Abraham Lincoln as a soldier in the Black Hawk War, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The construction of a monument in commemoration of the services of Abraham Lincoln as a soldier in the Black Hawk War and to mark the site of the block house in which he was quartered as a soldier of the United States during the said War, is hereby authorized.

Sec. 2. The Department of Public Works and Buildings shall acquire title to such part of block numbered 54 in the town of North Dixon (now a part of the city of Dixon), county of Lee, as shall be suitable and necessary as a site for the construction of the monument hereby authorized.

Sec. 3. After the acquisition of the site, it shall be the duty of the Department of Public Works and Buildings to construct thereon a monument, as provided in this Act.

Sec. 4. The sum of twenty-five thousand dollars (\$25,000) is hereby appropriated for the purpose of carrying out the provisions of this Act.

Sec. 5. Upon the presentation of proper vouchers certified to as correct by the Director of Public Works and Buildings and approved by the Director of Finance, the Auditor of Public Accounts shall draw his warrants on the State Treasurer against the sum hereby appropriated.



1 Introduced by Mr. Tourtillott, (By request), March 29, 1921.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the acquisition of the site on which was located the block house in which Abraham Lincoln was quartered as a soldier of the United States during the Black Hawk War, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings shall acquire the site on which was located the block house in which
4 Abraham Lincoln was quartered as a soldier of the United States during the
5 Black Hawk War, which site is a part of block numbered 54 in the town of
6 North Dixon (now a part of the city of Dixon).

Sec. 2. The sum of one thousand dollars (\$1,000.00) is hereby appropri-
2 ated to the Department of Public Works and Buildings for the purpose of
3 carrying out the provisions of this Act.

Sec. 3. This appropriation is made subject to all of the provisions of "An
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.





- 1 Introduced by Mr. Weinshenker, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend Section 13 of "An Act to regulate the practice in courts of chancery," approved March 15, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 13 of "An Act to regulate the
3 practice in courts of chancery," approved March 15, 1872, in force July 1, 1872,
4 as amended, is amended to read as follows:

Sec. 13. The notice required in the preceding section may be given at any
2 time after the commencement of the suit, and shall be published at least once in
3 each week for four successive weeks, and no default or proceeding shall be taken
4 against any defendant not served with summons, or a copy of the bill, and not
5 appearing, unless the first publication shall have been made at least thirty days
6 preceding the first day of the term at which such default or proceeding is pro-
7 posed to be taken.



1 Adopted May 3, 1921.

AMENDMENT NO 1.

Amend printed House Bill No. 541, in Section 13, line 6, by striking out the
2 word "preceding" and inserting in lieu thereof the words "prior to."



- 1 Introduced by Mr. Young, March 29, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act to amend Section 1 of “An Act to tax gifts, legacies, inheritances, transfers, appointments and interests in certain cases, and to provide for the collection of the same, and repealing certain Acts therein named,” approved June 14, 1909, in force July 1, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of “An Act to tax gifts, legacies, inheritances, transfers, appointments and interests in certain cases, and to provide for the collection of the same, and repealing certain Acts therein named,” approved June 14, 1909, in force July 1, 1909, as amended, is amended to read as follows:

Sec. 1. A tax shall be and is hereby imposed upon the transfer of any property, real, personal, or mixed, or of any interest therein or income therefrom, in trust or otherwise, to persons, institutions or corporations, not herein after exempted, in the following cases.

5 1. When the transfer is by will or by the intestate laws of this State, from
6 any person dying, seized or possessed of the property while a resident of the
7 State.

8 2. When the transfer is by will or intestate laws of property within the
9 State, and the decedent was a non-resident of the State at the time of his death.

10 3. When the transfer is of property made by a resident, or by a non-resi-
11 dent when such non-resident's property is within this State, by deed, grant,
12 bargain, sale or gift, made in contemplation of the death of the grantor, vendor
13 or donor, or intended to take effect in possession or enjoyment at or after such
14 death. When any such person, institution or corporation becomes beneficially
15 entitled in possession or expectancy to any property or income therefrom, by
16 any such transfer, whether made before or after the passage of this Act.

17 4. Whenever any person, institution or corporation shall exercise a power
18 of appointment derived from any disposition of property made either before or
19 after the passage of this Act, such appointment, when made, shall be deemed a
20 taxable transfer under the provisions of this Act, in the same manner as though
21 the property to which such appointment relates belonged absolutely to the
22 donee of such power and had been bequeathed or devised by such donee by will;
23 and whenever any person or corporation possessing such a power of appoint-
24 ment so derived shall omit or fail to exercise the same within the time provided
25 therefor, in whole or in part, a transfer taxable under the provisions of this Act
26 shall be deemed to take place to the extent of such omission or failure, in the
27 same manner as though the persons or corporations thereby becoming entitled
28 to the possession or enjoyment of the property to which such power related
29 had succeeded thereto by a will of the donee of the power failing to exercise
30 such power, taking effect at the time of such omission or failure.

31 5. Whenever property, real or personal, is held in the joint names of two
32 or more persons, or is deposited in banks or other institutions or depositories
33 in the joint names of two or more persons and payable to either or the survivor
34 upon the death of one of such persons the right of the surviving joint tenant

35 or joint tenants, person or persons, to the immediate ownership or possession
36 and enjoyment of such property shall be deemed a transfer taxable under the
37 provisions of this Act in the same manner as though the whole property to
38 which such transfer relates was owned by said parties as tenants in common and
39 had been bequeathed to the surviving joint tenant or joint tenants, person or
40 persons, by such deceased joint tenant or joint depositor by will.

41 When the beneficial interests to any property or income therefrom shall
42 pass to or for the use of any father, mother, lineal ancestor of decedent, hus-
43 band, wife, child, brother or sister, wife or widow of the son or the husband of
44 the daughter, or any child or children legally adopted, or to any person to
45 whom the deceased, for not less than ten years prior to death, stood in the
46 acknowledged relation of a parent: *Provided, however,* such relationship
47 began at or before said person's fifteenth birthday and was continuous for said
48 ten years thereafter: *And, provided, also,* that one of the parents of such
49 person so standing in such relation shall be deceased when such relationship
50 commenced, or to any lineal descendant of such decedent born in lawful wed-
51 lock. In every such case the rate of tax shall be:

52 *Two* per cent on any amount up to and including the sum of fifty thousand
53 dollars in excess of the exemption:

54 *Four* per cent on the next one hundred thousand dollars or any part
55 thereof:

56 *Six* per cent on the next one hundred thousand dollars or any part thereof:

57 *Ten* per cent on the next two hundred and fifty thousand dollars or any part
58 thereof:

59 *Fourteen* per cent on the amount representing the balance of each indi-
60 vidual transfer, *provided,* that any gift, legacy, inheritance, transfer, appoint-
61 ment or interest passing to a father, mother, lineal ancestor of decedent, hus-
62 band, wife, child, wife or widow of the son or the husband of the daughter, or
63 any child or children legally adopted or to any person to whom the deceased
64 for not less than ten years prior to death, stood in the acknowledged relation of

65 a parent as above provided, or to any lineal descendant of such decedent born
 66 in lawful wedlock, which may be valued at a less sum than twenty thousand dol-
 67 lars shall not be subject to any such duty or taxes and the taxes to be levied in
 68 such cases only upon the excess of twenty thousand dollars received by each
 69 person. And, provided, further, that any gift, legacy, inheritance, transfer,
 70 appointment or interest passing to a brother or sister, which may be valued at
 71 a less sum than ten thousand dollars shall not be subject to any such duty or
 72 taxes and the tax is to be levied in such cases only upon the excess of ten thou-
 73 sand dollars received by each person.

74 When the beneficial interests to any property or income therefrom shall
 75 pass to or for the use of any uncle, aunt, niece, nephew or any lineal descendant
 76 of such uncle, aunt, niece or nephew, the rate of tax shall be:

77 *Six* per cent on any amount up to and including the sum of twenty thou-
 78 sand dollars, in excess of the exemption:

79 *Eight* per cent on the next fifty thousand dollars or any part thereof:

80 *Twelve* per cent on the next one hundred thousand dollars or any part
 81 thereof:

82 *Sixteen* per cent on the amount representing the balance of each individual
 83 transfer: *Provided*, that any gift, legacy, inheritance, transfer, appointment or
 84 interest passing to an uncle, aunt, niece, nephew or any lineal descendant of such
 85 uncle, aunt, niece or nephew which may be valued at a less sum than five hundred
 86 dollars shall not be subject to any such duty or taxes and the tax is to be levied
 87 in such case only upon the excess of five hundred dollars received by such uncle,
 88 aunt, niece, nephew or any lineal descendant of such uncle, aunt, niece, or
 89 nephew.

90 In all other cases the rate of tax shall be as follows:

91 *Ten* per cent on any amount up to and including the sum of twenty thou-
 92 sand dollars in excess of the exemption:

93 *Twelve* per cent on the next thirty thousand dollars or any part thereof:

94 *Sixteen* per cent on the next fifty thousand dollars or any part thereof:

95 *Twenty* per cent on the next fifty thousand dollars or any part thereof:

96 *Twenty-four* per cent on the next one hundred thousand dollars or any part
97 thereof:

98 *Thirty* per cent on the amount representing the balance of each individual
99 transfer: *Provided*, that any gift, legacy, inheritance, transfer, appointment or
100 interest passing to such persons which may be valued at a less sum than one
101 hundred dollars shall not be subject to any such duty or taxes and the tax is to
102 be levied in such cases only upon the excess of one hundred dollars received
103 by each person.

104 The tax imposed hereby shall be upon the clear market value of such
105 property, at the rates hereinabove prescribed.



- 1 Introduced by Mr. Roderick, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit the use of stink bombs and stinking, offensive smelling substances, for the purpose of injuring, molesting or coercing another, and prescribing the penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* It shall be unlawful to deposit, or attempt to deposit, or abet in the depositing of any stink bombs or any stinking or offensive substance upon the property of another with the malicious intent of wrongfully to injure, molest or coerce another, or to injure the property or business of another, or to molest another in the use, management, conduct or control of his business or property.

Sec. 2. It shall be unlawful for any person to have in his possession or under his control any stink bomb or any stinking or offensive smelling substance with the intent to use the same or that the same shall be used in violation of Section 1 of this Act.

Sec. 3. Any person who violates the provisions of this Act shall be confined in the county jail not less than thirty days nor more than one year.

1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend House Bill No. 543 by inserting the words "or injurious bombs or" after
2 the word "smelling" in the title of the printed bill.

AMENDMENT NO. 2.

Amend House Bill No. 543 by inserting the words "smelling or injurious bomb or"
2 before the word "substance" in the fourth line of Section 1 of the printed bill.

AMENDMENT NO. 3.

Amend House Bill No. 543 by substituting the word "or" for the letters "ot"
2 before the word "attempt" in the second line of Section 1 of the printed bill.

AMENDMENT NO. 4.

Amend House Bill No. 543 by inserting a comma and by striking out the word "or"
2 after the word "stinking" in the third line of Section 1 of the printed bill.

AMENDMENT NO. 5.

Amend House Bill No. 543 by striking out the word "of" after the word "in-
2 tent" in the fourth line of Section 1 of the printed bill.

AMENDMENT NO. 6.

Amend House Bill No. 543 by inserting the words "or injurious bomb or" after
2 the word "smelling" in the second line of Section 2 of the printed bill.

AMENDMENT NO. 7.

Amend House Bill No. 543 by inserting a comma and by striking out the word
2 "or" after the word "stinking" in the second line of Section 2 of the printed bill.

AMENDMENT NO. 8.

Amend House Bill No. 543 by inserting the words "any of" after the word "vio-
2 lates" in the first line of Section 3 of the printed bill.

AMENDMENT NO. 9.

Amend House Bill No. 543 by substituting the word "sixty" for the word "thirty"
2 in the second line of Section 3 of the printed bill.



- 1 Introduced by Mr. Shearer, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 33-B of "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 33-B of "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended, is amended to read as follows:*

Sec. 33-B. Any city, village or incorporated town having over 2,500 and not more than 200,000 inhabitants, may provide by ordinance for the levy in addition to the taxes now authorized by law, a direct annual tax for not exceeding twenty successive years and not exceeding two mills on the dollar, of all taxable property in such city, town or village, the same to be levied and collected with and in like manner as the general tax in such city, town or village, and to be known as the public benefit tax, and the fund arising therefrom shall be known as a public benefit fund, which fund shall be used solely for the purpose of paying that portion of the several amounts heretofore assessed against

10 such municipality for public benefits as well as for paying any such amounts as
11 may be hereafter so assessed for such benefits under and in pursuance of any
12 ordinance that may be hereafter passed.

13 Where any such tax shall have been so levied, warrants may be drawn
14 against the same, as and in the manner and with like force and effect as is pro-
15 vided in and by an Act of the General Assembly of the State of Illinois, en-
16 titled, "An Act to provide for the issuing of warrants upon the treasurer of any
17 county, township, city, school district or municipal corporation and jurors
18 certificates," approved May 31, 1879, in force July 1, 1879, and all amendments
19 thereto.



- 1 Introduced by Mr. Walz, March 29, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 2 of an Act entitled, "An Act concerning the levy and collection of taxes," (approved May 9, 1901, in force July 1, 1901, as amended by an Act approved June 14, 1909, in force July 1, 1909, as further amended by an Act approved June 30, 1919, in force July 1, 1919).

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of an Act entitled, "An
3 Act concerning the levy and extension of taxes," approved May 9, 1901, in force
4 July 1, 1901, as amended by an Act approved June 14, 1909, in force July 1,
5 1909, as further amended by an Act approved June 30, 1919, in force July 1,
6 1919, be and the same is hereby amended to read as follows:

Sec. 2. The county clerk in each county shall ascertain the rates per cent
2 required to be extended upon the assessed valuation of the taxable property in
3 the respective towns, townships, districts, incorporated cities and villages in his
4 county, as equalized by the State Board of Equalization for the current year, to
5 produce the several amounts certified for the extension by the taxing authori-

6 ties in said county (as the same shall have been reduced as hereinbefore provided
 7 in all cases where the original amounts exceed the amount authorized by law):
 8 *Provided, however,* that if the aggregate of all taxes (exclusive of State taxes,
 9 township taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes,
 10 pension fund taxes, school building taxes, high school taxes, district school taxes
 11 and all other school taxes in school districts having not more than 100,000 inhab-
 12 itants, road and bridge taxes, and taxes levied for the payment of principal of
 13 and the interest on bonded indebtedness of cities, and for the payment of the
 14 principal of and the interest on park bonds, hereafter issued, and exclusive of
 15 taxes levied pursuant to the mandate or judgment of any court of record on any
 16 bonded indebtedness), certified to be extended against any property in any part
 17 of any taxing district or municipality, shall exceed two per cent of the assessed
 18 valuation thereof upon which the taxes are required to be extended, the rate
 19 per cent of the tax levy of such taxing district or municipality shall be reduced
 20 as follows: The county clerk shall reduce the rate per cent of the tax levy of
 21 such taxing district or municipality in the same proportion in which it would be
 22 necessary to reduce the highest aggregate per cent of all the tax levies (excl-
 23 sive of State taxes, township taxes, village taxes, levee taxes, public tuberculosi-
 24 sanitarium taxes, pension fund taxes, school building taxes, high school tax-
 25 district school taxes and all other school taxes in school districts having no
 26 more than 100,000 inhabitants, road and bridge taxes, and taxes levied for the
 27 payment of the principal and the interest on bonded indebtedness of cities, and
 28 for the payment of the principal and the interest on park bonds hereafter
 29 issued, and exclusive of taxes levied pursuant to the mandate of judgment of
 30 any court of record on any bonded indebtedness), certified for extension upon
 31 any of the taxable property in said taxing district or municipality, to bring the
 32 same down to two per cent of the assessed value of said taxable property upon
 33 which said taxes are required by law to be extended: *Provided, further,* that in
 34 reducing tax levies hereunder from the taking effect of this Act to and including
 35 the year A. D. 1921, the rate per cent of the tax levy for county purposes n

counties having a population of over 300,000 shall not be reduced below a rate of thirty-six and two-third cents on each one hundred dollars assessed value (exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments and Mothers' Pension Fund), and thereafter shall not be reduced below a rate of thirty cents on each one hundred dollars assessed value (exclusive of levies to pay the principal and interest on bonded indebtedness, judgments and Mothers' Pension Fund), and in counties having a population of less than 300,000 the rate of the tax levy for county purposes shall not be reduced below a rate of fifty cents on each one hundred dollars assessed value (exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments), and the rate per cent of the tax levy for city or village purposes (exclusive of library, public tuberculosis sanitarium, pension fund, school and park purposes and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness in cities and villages having a population of over 150,000 shall not be reduced below a rate of dollar and forty-three and one-third cents ($\$1.43\frac{1}{3}$) on each one hundred dollars assessed value, and the rate per cent of the school tax for educational purposes shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for library purposes shall not be reduced below a rate of five and one-third cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for city or village purposes (exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal and the interest on bonded indebtedness and judgments) in cities and villages having a population of less than 150,000, shall not be reduced below a rate of one dollar and thirty-three and one-third cents ($\$1.33\frac{1}{3}$) on each one hundred dollars assessed value, and the rate per cent of the school tax levy for educational purposes shall not be reduced below the maximum rate allowed by law, and the rate per cent of the tax levy for park purposes in districts organized and existing under an Act entitled, "An Act to provide for the creation of pleasure driveway and park dis-

66 tricts," approved June 19, 1893, in force July 1, 1893, shall not be reduced below
 67 a rate of forty cents on each one hundred dollars assessed value (exclusive of
 68 the levies to pay the principal and interest on bonded indebtedness and judg-
 69 ments), *and the rate per cent of the tax levy for park purposes in districts cre-*
 70 *ated, organized and existing under and by virtue of an Act entitled, "An Act*
 71 *to amend the charter of the City of Chicago to create a Board of Park Commis-*
 72 *sioners, and authorize a tax in the Town of West Chicago, and for other pur-*
 73 *poses," approved and in force February 27, 1869, and all acts amendatory*
 74 *therco, shall not be reduced below a rate of seventy cents on each one hundred*
 75 *dollars assessed value (exclusive of levies to pay the principal of and interest*
 76 *on bonded indebtedness and judgments, and levies for employees' annuity and*
 76½ *benefit funds), but the other taxes which are subject to reduction under this*
 77 section shall be subject only to such reduction, respectively, as would be made
 78 therein under this section if this proviso were not inserted herein: *And, pro-*
 79 *vided, further,* in reducing tax levies hereunder, all school taxes levied in cities
 80 exceeding 150,000 inhabitants, with the exception of the levy for school building
 81 purposes, shall be included in the taxes to be reduced.

82 The rate per cent of the tax levy for every county, city, village, town,
 83 township, park district, sanitary district, road district, and other public au-
 84 thorities (except the State) shall be ascertained and determined (and reduced
 85 when necessary as above provided) in the manner hereinbefore specified, and
 86 shall then be extended by the county clerk upon the assessed value of the prop-
 87 erty subject thereto (being one-half of the full value thereof) as equalized ac-
 88 cording to law. In reducing the rate per cent of any tax levy as hereinbefore
 89 provided, the rates per cent of all tax levies certified to the county clerk for
 90 extension as originally ascertained and determined under Section 1 of this Act,
 91 shall be used in ascertaining the aggregate of all taxes certified to be expended
 92 without regard to any reduction made therein under this section: *Provided,*
 93 that no reduction of any tax levy made hereunder shall diminish any amount
 94 appropriated by corporate or taxing authorities for the payment of the prin-

95 cipal or interest on bonded debt, or levied pursuant to the mandate or judgment
96 of any court of record. And to that end every such taxing body shall certify to
97 the county clerk, with its tax levy, the amount thereof required for any such
98 purposes.

99 In case of a reduction hereunder any taxing body whose levy is affected
100 thereby, and whose appropriations are required by law to be itemized, may, after
101 the same have been ascertained, distribute the amount of such reduction among
102 the items of its appropriations, with the exceptions aforesaid, as it may elect. If
103 no such election is made within three months after the extension of such tax,
104 all such items, except as above specified, shall be deemed to be reduced prorata.



- 1 Introduced by Mr. Young, March 30, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act to amend Section 3 of an Act entitled, "An Act authorizing townships to acquire and maintain lands for park purposes," approved and in force June 23, 1915, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 3 of an Act entitled, "An Act authorizing townships to acquire and maintain lands for park purposes," approved and in force June 23, 1915, as subsequently amended, be and the same is hereby further amended to read as follows:

Sec. 3. For the purpose of providing a fund for the maintenance of said park or parks, the township authorities (meaning thereby the town supervisor and the town clerk of said township) are hereby authorized to levy annual taxes not exceeding *one and one-half mills* upon each dollar of the valuation of the property in said township as assessed for taxation in any one year, which shall be levied and collected at the time and in the manner that other township taxes are required to be levied and collected. Said maintenance tax, when levied and

8 collected, shall be kept separate and distinct from all other township funds and
9 shall be applied exclusively to the expense of maintenance and upkeep, adorn-
10 ment and development of any park or parks therefore acquired by such town-
11 ship, or the acquisition of other lands to be used for public park purposes.

12 *Provided*, this Act shall have no application to any municipality in the State
13 of Illinois having a population of less than one hundred thousand (100,000).

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 546

1921



1 Adopted May 10, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 546, by striking out the words “and one-
2 half mills” in line 4, Section 3, page 1, and by inserting in lieu thereof the
3 word “mill.”



- 1 Introduced by Mr. Charles Curren, March 30, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 5 and 13 of "An Act in relation to the civil administration of the State government and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 5 and 13 of "An Act in
3 relation to the civil administration of the State government, and to repeal certain
4 Acts therein named," approved March 7, 1917, in force July 1, 1917, as subse-
5 quently amended, be, and the same are hereby amended to read as follows:

Sec. 5. In addition to the Directors of Departments, the following executive
2 and administrative officers, boards and commissions, which said officers, boards
3 and commission in the respective departments, shall hold offices hereby created
4 and designated as follows:

5 IN THE DEPARTMENT OF FINANCE:

6 Assistant Director of Finance;

7 Administrative Auditor;

- 8 Superintendent of Budget;
- 9 Superintendent of Department Reports;
- 10 Statistician.
- 11 The Tax Commission, which shall consist of *five* officers designated as Tax
- 12 Commissioners.

13 IN THE DEPARTMENT OF AGRICULTURE:

- 14 Assistant Director of Agriculture;
- 15 General Manager of the State Fair;
- 16 Superintendent of Food and Dairies;
- 17 Superintendent of Animal Industry;
- 18 Superintendent of Plant Industry;
- 19 Chief Veterinarian;
- 20 Chief Game and Fish Warden;
- 21 The Food Standard Commission, which shall consist of the Superintendent
- 22 of Foods and Dairies and two officers designated as Food Standard officers.

23 IN THE DEPARTMENT OF LABOR:

- 24 Assistant Director of Labor;
- 25 Chief Factory Inspector;
- 26 Superintendent of Free Employment Offices;
- 27 Chief Inspector of Private Employment Agencies;
- 28 The Industrial Commission, which shall consist of five officers designated as
- 29 Industrial Officers.

30 IN THE DEPARTMENT OF MINES AND MINERALS:

- 31 Assistant Director of Mines and Minerals;
- 32 The Mining Board, which shall consist of four officers designated as Mine
- 33 Officers, and the Director of the Department of Mines and Minerals;
- 34 The Miners' Examining Board, which shall consist of four officers, desig-
- 35 nated Miners' Examining Officers.

36 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

- 37 Assistant Director of Public Works and Building;
38 Superintendent of Highways;
39 Chief Highway Engineer;
40 Supervising Architect;
41 Supervising Engineer;
42 Superintendent of Waterways;
43 Superintendent of Printing;
43½ Superintendent of Purchases and Supplies;
44 Superintendent of Parks.

45 IN THE DEPARTMENT OF PUBLIC WELFARE.

- 46 Assistant Director of Public Welfare;
47 Alienist;
48 Criminologist;
49 Fiscal Supervisor;
50 Superintendent of Charities;
51 Superintendent of Prisons;
52 Superintendent of Pardons and Paroles.

53 IN THE DEPARTMENT OF PUBLIC HEALTH:

- 54 Assistant Director of Public Health;
55 Superintendent of Lodging House Inspection.

56 IN THE DEPARTMENT OF TRADE AND COMMERCE:

- 57 Assistant Director of Trade and Commerce;
58 Superintendent of Insurance;
59 Fire Marshal;
60 Superintendent of Standards;
61 Chief Grain Inspector;
62 The Public Utilities Commission, which will consist of five officers, design-
63 nated Public Utilities Commissioners;
64 Secretary of the Public Utilities Commission.

IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

Assistant Director of Registration and Education;

Superintendent of Registration;

The Normal School Board, which shall consist of nine officers, together with the Director of the Department and the Superintendent of Public Instruction.

The above named officers, and each of them, shall, except as otherwise provided in this Act, be under the direction, supervision and control of the Director of their respective departments, and shall perform such duties as such Director shall prescribe.

Sec. 13. Each officer whose office is created by this Act, except as otherwise specifically provided for in this Act, shall hold office for a term of four years from the second Monday in January next after the election of a Governor, and until his successor is appointed and qualified.

Three members of the Normal School Board first appointed shall hold office until the second Monday in January, A. D. 1919, three until the second Monday in January, A. D. 1921, and three until the second Monday in January, A. D. 1923. After the expiration of the terms of office of those first appointed, their respective successors shall hold office for a term of six years.

Of the Tax Commissioners first appointed one shall be appointed for a term of six years, one for a term of four years, and one for a term of two years, from the first day of July, A. D. 1919. Thereafter as the respective terms of office expire their respective successors shall hold office for a term of six years.

In addition thereto two additional Tax Commissioners shall be appointed on or before the first day of December, 1921. Of the Tax Commissioners so appointed one shall hold office until the first day of July, A. D. 1927, and one until the first day of July A. D. 1925. Thereafter as the respective terms of office expire their respective successors shall hold office for a term of six years.



- 1 Introduced by Mr. Charles Curren, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to add Sections 24a, 24b, 24c, 24d, 24e, 24f, 24g, 24h, 24i, 24j, 24k, 24l, 24m, 24n, 24o, 24p, 24q, 24r, 24s, 24t, 24u, 24v, 24w, 24x, 24y, 24z, 24z-1, 24z-2, 24z-3, 24z-4, 24z-5, 24z-6, 24z-7, 24z-8, 24z-9, 24z-10, 24z-11, 24z-12, 24z-13, 24z-14, 24z-15 and 24z-16 to "An Act in relation to the assessment of property for taxation," approved June 19, 1919, and in force July 1, 1919, to amend the title thereto and to repeal Section 28 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 24a, 24b, 24c, 24d, 24e, 24f, 24g, 24h, 24i, 24j, 24k, 24l, 24m, 24n, 24o, 24p, 24q, 24r, 24s, 24t, 24u, 24v, 24w, 24x, 24y, 24z, 24z-1, 24z-2, 24z-3, 24z-4, 24z-5, 24z-6, 24z-7, 24z-8, 24z-9, 24z-10, 24z-11, 24z-12, 24z-13, 24z-14, 24z-15 and 24z-16 are added to "An Act in relation to the assessment of property for taxation," approved June 19, 1919, in force July 1, 1919, the additional sections to read as follows:

POWERS OF LOCAL ASSESSMENT AND REVIEW.

Sec. 24a. In addition to all other powers and duties vested or imposed upon it by law, the tax commission shall direct and supervise the assessment for taxation of all real and personal property in the State. For the purpose of such assessment, the State is hereby divided into assessment districts. Each county in the State shall constitute an assessment district. In each assessment district which contained, at the last preceding federal census, less than five hundred thousand inhabitants, there shall be appointed, in the manner provided in this Act, one deputy State Tax Commissioner, who shall be known as the district assessor. In all other assessment districts there shall be appointed, in the manner provided in this Act, two deputy State Tax Commissioners, not of the same political party, who shall constitute the district board of assessors. Wherever used in this Act, the term "district assessor" shall mean and include also the district board of assessors, herein provided for, or a member thereof, as the case may be. Such district assessor shall, under the direction and supervision of the tax commission, be the assessors of real and personal property for taxation, within and for their respective districts, except as may be otherwise provided by law. There shall also be appointed in each assessment district, in the manner provided in this Act, three persons who shall constitute a board to hear complaints and review assessments of real and personal property for taxation, which shall be known as the district board of complaints.

Sec. 24b. Each district assessor shall be appointed by the Governor on or before the 1st day of December, 1921, and shall hold his office until his successor is appointed and qualified. He shall be an elector of the district for which he is appointed, and, upon ceasing to be such, his office shall be vacant. The tax commission may, with the consent of the Governor, remove any district assessor.

Sec. 24c. Each district assessor shall appoint such number of deputy successors, assistants, experts, clerks and employees as may, from time to

3 time, be prescribed for his district by the tax commission. Such deputy as-
4 sessor, assistants, experts, clerks and employes, shall hold their respective
5 offices and employments for such times as may be prescribed by the tax com-
6 mission. The deputy assessor shall have and perform, under the direction of
7 the district assessor, and in such territory as may be assigned to him by the
8 district assessor, the powers and duties of the district assessor.

Sec. 24d. Wherever in the laws of the State of Illinois the term "assessor,"
2 "district assessor," "township assessor," "town assessor," "county assessor,"
3 "supervisor of assessments," "deputy assessors," or "board of assessors" is
4 used, the same shall be deemed to mean the district assessor or the deputy
5 assessor, as the case may be, and the offices held by such officers shall be deemed
6 to be and are hereby abolished. The district assessor, or his deputy, shall per-
7 form, or cause to be performed, all the duties, exercise all the powers, and be
8 subject to all the liabilities and penalties devolved, conferred or imposed by law
9 upon such officers by any and all provisions of the revenue laws of this State in
10 force prior to the taking effect of this Act.

Sec. 24e. Whenever any person, company, firm, partnership, association,
2 or corporation, is by any existing provision of law required to list property with
3 any assessor or deputy assessor for taxation, the same shall be listed with the
4 district assessor, or the deputy district assessor, and whenever any assessor,
5 or board of assessors, are by any existing provision of law charged with any
6 duty or vested with any powers in making up the original tax list, or in listing
7 and valuing any property which has been omitted from the tax list, or in cor-
8 recting any returns or statements of property for taxation, either with respect
9 to its valuation or amount, such duty shall devolve upon and be performed by
10 the district assessor, and such power shall vest in him and be exercised by him.

Sec. 24f. All files, statements, returns, reports, papers, or documents of
2 any kind whatsoever, in the office of a district assessor, or of a district board

3 of complaints, or in the official custody or possession of such officer, or board,
4 shall be open to public inspection.

Sec. 24g. In each assessment district of the State there shall be appointed
2 annually by the tax commission, with the consent of the Governor, three com-
3 petent persons who shall constitute a "district board of complaints" for such
4 district. Any member of such board may be removed by the tax commission
5 with the consent of the Governor. In the month of May, 1922, the tax com-
6 mission shall appoint on each district board of complaints one member who
7 shall hold his office for the term of one year, one member who shall hold his
8 office for the term of two years, and one member who shall hold his office for the
9 term of three years. Upon the expiration of the term of office of each mem-
10 ber so appointed, his successor shall be appointed in the same manner for a
11 term of three years. Each member of the district board of complaints shall be
12 an elector of the assessment district. Not more than two members of the dis-
13 trict board of complaints shall be of the same political party, and no two
14 members thereof shall be residents of the same township, city or village:
15 *Provided, however,* that if the amount of taxable property in any city within
16 an assessment district exceeds the amount of taxable property outside such
17 city and within the assessment district, two members of the district board of
18 complaints in any such assessment district may be residents of such city.
19 Whenever any member of the district board of complaints, by reason of re-
20 moval from one township, city or village, or otherwise, ceases to possess any of
21 the qualifications required in this section, his office shall be vacant.

Sec. 24h. Whenever in the laws of the State of Illinois the term "board
2 of review" is used, the same shall be deemed to mean the board of complaints,
3 and all existing boards of review shall be deemed to be and are hereby abol-
4 ished. The boards of complaints shall perform, or cause to be performed, all
5 the duties, and exercise all the powers, and be subject to all the liabilities and
6 penalties devolved, conferred or imposed by law upon such officers as members

7 of any board of review, by any and all provisions of the revenue laws in force
8 prior to the taking effect of this Act.

Sec. 24i. Each district board of complaints shall appoint such number of
2 experts, clerks and employes as may from time to time be prescribed for it by
3 the tax commission. Such experts, clerks and employes shall hold their em-
4 ployments for such time as may be prescribed by the tax commission.

Sec. 24j. The district board of complaints shall meet on or before the
2 third Monday of June in each year, and may adjourn from day to day. The
3 board shall complete its work within such time as may be fixed for the comple-
4 tion thereof by the tax commission.

Sec. 24k. A majority of a district board of complaints shall constitute a
2 quorum to hear and determine any complaint, and any vacancy shall not impair
3 the right of the remaining members of such board to exercise all the powers
4 thereof, so long as a majority remains. Any investigation, inquiry or hearing
5 may be undertaken or held by or before any one member of the board. Any
6 investigation, inquiry, hearing or decision of the district board of complaints,
7 when approved and confirmed by the board, and so shown upon its record of
8 proceedings, shall be deemed to be the official action of the district board of
9 complaints.

Sec. 24l. The district board of complaints shall take full minutes of all
2 evidence given before the board, and may cause the same to be taken in short-
3 hand and extended in typewritten form, and shall preserve in its office sepa-
4 rate records of all minutes and documentary evidence offered on each com-
5 plaint or hearing.

Sec. 24m. An appeal from the decision of a district board of complaints
2 may be taken to the tax commission of Illinois within thirty days after the deci-
3 sion of such board by the district assessor, or by any person interested in such
4 decision. Such appeal shall be taken by written notice to that effect filed with

5 the tax commission, with the county clerk, and with the board of complaints,
6 which board of complaints shall thereupon certify to the tax commission a copy
7 of the record of the board of complaints pertaining to the original complaint,
8 together with the minutes thereof, and all evidence, documentary or otherwise,
9 offered in connection therewith. Upon receipt of notice of appeal the board of
10 complaints shall notify all parties interested, and shall file proof of such notice
11 with the tax commission.

Sec. 24n. The tax commission may hear the appeal on the record, minutes
2 and evidence thus submitted, or may, in its discretion, make other investiga-
3 tions with respect to the complaint. The commission shall ascertain and deter-
4 mine the full cash value of the property complained of, and certify its action
5 to the district assessor, to the board of complaints, and to the county clerk, each
6 of which officers or boards shall correct the tax list or lists, which may be or
7 may thereafter come into his or its possession, to make it or them correspond
8 with the decision of the tax commission.

Sec. 24o. The appointment of district assessors and members of the dis-
2 trict boards of complaints shall be certified to the county clerk of the counties
3 constituting the districts for which the appointments are made, and to the tax
4 commission. The action of the tax commission fixing the number of appointees
5 and employes of district assessors and district boards of complaints shall be
6 certified to the respective district assessors and district boards of complaints.
7 Removals and changes in the number of appointees and employes shall be cer-
8 tified in like manner. Appointments or employments made by the district
9 assessors and district boards of complaints shall be certified to the county clerk
10 of the county constituting the assessment district, and to the tax commission.

Sec. 24p. The salary of each district assessor shall not exceed five thou-
2 sand dollars per annum, but shall not be less than fifteen hundred dollars per
3 annum in any case. Such salaries shall be fixed within such limits by the tax
4 commission with the approval of the Governor by order directed to the proper

5 county clerk. The compensation of the members of each district board of com-
6 plaints shall not be less than five dollars per day nor more than ten dollars per
7 day for each day the board is in session, and shall be fixed within such limits
8 by the tax commission with the approval of the Governor, by order directed to
9 the proper county clerk. The salary or compensation of each officer and em-
10 ploye mentioned in this section may be changed at pleasure by the officer or
11 board having authority originally to fix it.

Sec. 24q. The salaries or compensations of deputy assessors and other
2 employes of the district assessor shall be fixed by the district assessor, subject
3 to the approval of the tax commission. The salaries or compensation of ex-
4 perts, clerks and other employes of the district board of complaints, shall be
5 fixed by the district board of complaints, subject to the approval of the tax
6 commission.

Sec. 24r. The salaries of the district assessor and members of the dis-
2 trict board of complaints shall be paid monthly out of the county treasury on
3 the certificate of the tax commission. The salaries and compensation of the
4 deputies, assistants, experts, clerks and employes of the district assessors and
5 of the experts, clerks and employes of the district board of complaints, shall
6 be paid in like manner upon the certificate of the district assessor or district
7 board of complaints, as the case may be. The contingent expenses of the dis-
8 trict assessor and district board of complaints, including postage and express
9 charges, their actual and necessary traveling expenses and those of their depu-
10 ties, assistants, experts, clerks or employes, on official business outside of the
11 district, when required by orders issued by the tax commission, shall be allowed
12 and paid as claims against the county, on the certificate of the tax commission:
13 *Provided, however,* that such salaries and compensation and such expenses,
14 when allowed, shall constitute a charge against the county, regardless of the
15 amount of money in the county treasury appropriated for such purposes, and
16 notwithstanding any failure of the county board to levy or appropriate funds
17 therefor.

Sec. 24s. District assessors, deputy assessors and members of the board of complaints, shall give bond, payable to the People of the State of Illinois, for the faithful performance of their respective duties. The form of such bond shall be prescribed by the Attorney General and furnished by the tax commission, and their execution shall be approved by the State's attorney of the proper county. Each bond when executed shall be submitted, with the oath of office endorsed thereon, to the county clerk of the county wherein the principal resides. If the county clerk approves the surety thereon, he shall endorse his approval on the bond and file it in his office where he shall safely keep it. Each such bond, and the principal thereon, personally shall be liable, in addition to any other liability growing out of the exercise of the powers and duties of his office, by the principal, for any damages to any person caused by any neglect, default, fraud, or unlawful act of the principal, of which he may be guilty while acting within the scope of his official duties or under color of his official authority. The bond of a district assessor shall be in the sum of Five Thousand Dollars (\$5,000), that of a deputy assessor in the sum of One Thousand Dollars (\$1,000) and that of a member of the board of complaints in the sum of Two Thousand Dollars (\$2,000).

Sec. 24t. Vacancies in any office or employment provided for in this Act, for which a term is fixed herein, shall be filled for the unexpired term. Vacancies in offices or employments, the tenure of which is prescribed by the tax commission, shall be filled for the remainder of the period so prescribed. The person appointed to fill a vacancy in any office or employment, provided for in this Act, except those last mentioned, shall continue in his office or employment until his successor is appointed or employed and qualified. All appointments to fill vacancies shall be certified in the same manner as is provided in this Act for original appointments. The county clerk of the county constituting the assessment district shall forthwith notify the appointing authority and the tax commission of any vacancy in the office of district assessor, or member of the district board of complaints in his district. If the appointing authority

13 - fails to fill the vacancy within ten days after receipt of such notice, the tax
14 commission shall make the appointment.

Sec. 24u. A district assessor, deputy assessor, member of a district board
2 of complaints, or any assistant, clerk or other employe of a district assessor
3 or district board of complaints, shall not, during his term of office or period
4 of service or employment, as fixed by law or prescribed by the tax commis-
5 sion, hold any office of profit except offices in the State militia and the office of
6 notary public.

Sec. 24v. District assessors, members of district boards of complaints,
2 their deputies, assistants, experts, clerks and other employes, shall, during their
3 terms of office, or periods of service or employment, devote their entire time
4 to their respective duties: *Provided, however,* that district assessors, or dis-
5 trict boards of complaints, may, with the approval of the tax commission, em-
6 ploy assistants, experts, clerks or other employes, with the understanding that
7 they shall devote a part only of their entire time to their respective
8 employments.

Sec. 24w. The county board shall furnish for the district assessor and the
2 district board of complaints, for their county, and their deputies, assistants,
3 experts, clerks and employes, suitable office rooms at the county seat, and also
4 shall furnish for the office of the district assessor and for the office of the dis-
5 trict board of complaints, all maps, plats, stationery, blank forms, books, sup-
6 plies, furniture and other equipment necessary for the proper discharge of their
7 duties, and for the preservation and safe keeping of their books, records and
8 files: *Provided, however,* that the maps, plats, stationery, blank forms and
9 other supplies and equipment used by the district assessor, shall, so far as is
10 practicable, be used also by the district board of complaints. In case any
11 county board fails or refuses to furnish such rooms, maps, plats, stationery,
12 blank forms, books, supplies, furniture and other equipment, the tax commis-
13 sion, upon complaint of the district assessor or district board of complaints,

14 may authorize the district assessor or the district board of complaints, as the
 15 case may be, to procure such rooms, furniture, maps, plats, stationery, blank
 16 forms, books, supplies and other equipment, as may be deemed necessary by
 17 the commission, and the amount so authorized to be expended for such purpose
 18 shall constitute a charge against the county regardless of the money in the
 19 county treasury appropriated for such purposes, and notwithstanding any fail-
 20 ure of the county board to levy or appropriate funds therefor.

Sec. 24x. Each district assessor, deputy assessor, assistant assessor, ex-
 2 pert or clerk or a district assessor, and member of a district board of complaints
 3 shall have power to administer oaths and to certify to official acts in any man-
 4 ner, relating in any way to his official duties.

Sec. 24y. In addition to the duties specially imposed by law upon district
 2 assessors, deputy assessors and district boards of complaints, they and each of
 3 them shall perform such other duties as the tax commission in the exercise
 4 of its powers may direct, and in the discharge of such duties they and each of
 5 them shall exercise all and singular the powers invested in them by this Act.

Sec. 24z. The State's attorney shall be the legal adviser of the district
 2 assessor, and shall prosecute and defend all actions and proceedings in any
 3 court to which the district assessor or the district board of complaints may be
 4 a party, and in all respects act as the attorney of the district assessor or the
 5 district board of complaints, as the case may be. He shall, upon the request
 6 of the district assessor or district board of complaints, appear in any investi-
 7 gation or examination which either of them is authorized to make, and examine
 8 the witnesses, or in any other manner aid them in such investigation.

Sec. 24z-1. The Attorney General, on request of the tax commission, shall
 2 assist the State's attorney in the performance of any duties required of him
 3 by the next preceding section.

Sec. 24z-2. The tax commissioners, district assessors and district boards

2 of complaints shall notify the State's attorney of the proper county of any
3 wilful violations of the laws relating to the assessment of real and personal
4 property for taxation by any person, firm, partnership, association or corpo-
5 ration, for which a penalty, either civil or criminal, may be provided by law,
6 and shall sign and verify affidavits or petitions with respect thereto, when pre-
7 pared by the State's attorney.

Sec. 24z-3. Each district assessor, deputy assessor, member of a district

2 board of complaints, and each assistant, expert, clerk or employe of a district
3 assessor or a district board of complaints, may at all reasonable times examine
4 and make memoranda from any and all records, books, papers, documents, state-
5 ments or accounts, of record or on file in any public office of any county, town-
6 ship, city, village, school district or special taxing district in the State, in-
7 cluding the offices of justices of the peace, free of charge, and the officers thereof
8 shall furnish information of any and all matters of record or on file in their
9 respective offices, as may be required by such district assessor or member of a
10 district board of complaints. The tax commission, or any person or persons
11 employed by the commission for that purpose, shall have like powers, and in
12 addition thereto may examine and make memoranda from any records, books,
13 papers, documents, statements, or accounts of record or on file in any office or
14 department of the State, and all public officers, including officers of the State,
15 shall furnish to the tax commissioners, information of any and all matters or
16 records on file in their respective offices, as may be required by the commis-
17 sion. Any assistant, expert, clerk or employe of a district assessor or a dis-
18 trict board of complaints or person employed by the tax commission, shall ex-
19 hibit the written order of the district assessor, district board of complaints or
20 tax commission, as the case may be, before being entitled to make such exam-
21 ination. Nothing in this Act shall be construed or held to authorize the tax
22 commission, or any of its agents or employes, to examine the account or records
23 of any banking or financial institution which is subject to official inspection

24 under the laws of the State of Illinois or of the United States, nor to demand
25 or receive any list of depositors, stock depositors, members or others who
26 transact business in or with such institutions.

Sec. 24z-4. If any district assessor or district board of complaints dis-
2 covers the existence of any taxable personal property, subject to be listed and
3 assessed for taxation in another assessment district, such district assessor or
4 district board of complaints shall notify the district assessor of the assess-
5 ment district in which such personal property is required to be listed and
6 assessed, and shall transmit to him by mail all information coming to their
7 knowledge respecting such personal property. If any district assessor or dis-
8 trict board of complaints discovers, or has reason to believe, that personal
9 property subject to be listed in their assessment district is located in another
10 assessment district, or that the district assessor of any other assessment dis-
11 trict has the means of acquiring any information respecting such property, such
12 district assessor or district board of complaints shall notify the district as-
13 sessor of such other taxing district, who shall upon request make such inquiries
14 and investigations as may be required and furnish the same to such district
15 assessor or district board of complaints. District assessors and district boards
16 of complaints shall have and exercise, in making the inquiries and investiga-
17 tions provided for in this section, all powers in them vested by any provisions
18 of law.

Sec. 24z-5. The tax commission shall, from time to time, prescribe such
2 general and uniform rules and regulations and issue such orders and instruc-
3 tions, not inconsistent with any provision of law, as it may deem necessary,
4 respecting the manner of the exercise of the powers and the discharge of the
5 duties of any and all officers relating to the assessment of real and personal
6 property, and the levy and collection of taxes.

Sec. 24z-6. The tax commission shall, from time to time, prescribe for and
2 furnish to all district assessors, district boards of complaints, county clerks

3 and county treasurers, blank forms for all oaths of office, statements, returns,
4 reports, tax lists, abstracts, records of proceedings, complaints, notices of ap-
5 peal, tax bills and receipts, and all other documents, files and records author-
6 ized or required by any provisions of law relating to the assessment, levy and
7 collection of taxes, or by any rules, regulations, orders or instructions of the
8 commission and blank forms of records and papers for all proceedings and
9 official actions authorized or required by the provisions of any law relating
10 to the assessment, levy and collection of taxes, or by any rules, regulations,
11 orders or instructions of the commission. District assessors, their deputies, dis-
12 trict boards of complaints, county clerks, county treasurers and all other offi-
13 cers, and all persons required to list property for taxation, shall use true
14 copies of such blank forms.

Sec. 24z-7. The tax commission shall cause the rules and regulations pre-
2 scribed by it to be observed, the orders and instructions issued by it to be
3 obeyed and the forms prescribed and furnished by it to be observed and used.
4 For the purpose of enforcing its rules, regulations, orders and instructions,
5 and compelling the observance and use of the forms prescribed by it, the com-
6 mission may institute, or cause to be instituted, any proceeding, either civil or
7 criminal, provided by law, as a punishment for neglect, failure or refusal to
8 obey any lawful requirement or order made by the commission, or as a means
9 of preventing the violation or disobedience of such orders, or compelling their
10 enforcement, and all such provisions of law shall be deemed to apply to the en-
11 forcement of the rules, regulations, orders and instructions of the tax commis-
12 sion, prescribed or issued under the authority of this Act.

Sec. 24z-8. The tax commission of Illinois may require district assessors,
2 deputy assessors and members of district boards of complaints to meet and con-
3 fer with other district assessors, deputy assessors, members of district boards of
4 complaints, or with the commission, on any matter relating to the assessment
5 and valuation of property for taxation, at such times and places as may be pre-
6 scribed from time to time by the commission.

Sec. 24z-9. On or before the 1st day of July, annually, the district assessor
2 shall make out and transmit to the tax commission an abstract of the real and
3 personal property of each taxing district in the county constituting his assess-
4 ment district, in which he shall set forth the aggregate amount and value of
5 each class of real and personal property in such taxing district as it appears
6 on his tax list, or on the statement and returns on file in his office.

Sec. 24z-10. The commission may order a re-assessment of the real or per-
2 sonal property or any class of either in a taxing district when, in the opinion
3 of the commission, such property has been unequally assessed, to the end that
4 all classes of property in such taxing district shall be assessed in compliance
5 with law.

Sec. 24z-11. When a re-assessment is ordered in any taxing district, the
2 district assessor shall proceed to make such re-assessment in the manner pro-
3 vided by law for making original assessments: *Provided, however,* that if the
4 commission so orders, the district assessor shall, in the case of personal prop-
5 erty, make such re-assessment by revising and correcting the statements and
6 returns on file in his office, without taking new statements or returns from the
7 persons required by law to list or return personal property for taxation.

Sec. 24z-12. The district assessor, from time to time, shall correct any
2 clerical errors which he discovers in the tax list, in the name of the person
3 charged with taxes, the valuation, description or quantity of any tract, lot or
4 parcel of land, or improvements thereon, or in the valuation of any personal
5 property, or when property exempt from taxation has been listed therein, after
6 the same has been delivered to the county clerk, and certify such corrections to
7 the county clerk, who shall enter the same upon the tax list.

Sec. 24z-13. Any expense incurred by the tax commission with respect to
2 the annual assessment of real and personal property in any taxing district,
3 shall be paid out of the treasury of the county in which such taxing district may

4 be located upon presentation of the order of the tax commission certifying the
5 amount thereof to the county treasurer, who shall pay the same. All moneys
6 paid out of the county treasury under authority of this section shall be a
7 charge against the proper taxing district, and amounts so paid by the county
8 shall be retained by the county clerk from funds due such taxing district at
9 the time of making the distribution of taxes.

Sec. 24z-14. All records, books, papers, maps, documents and memoranda
2 pertaining to any assessor, deputy assessor, township assessor, district assessor,
3 county assessor, supervisor of assessments, or board of assessors, shall, upon
4 the taking effect of this Act, be transferred and delivered to the district as-
5 sessors of the respective districts, and all records, books, papers, maps, docu-
6 ments and memoranda pertaining to any board of review shall, upon the taking
7 effect of this Act, be transferred and delivered to the district board of com-
8 plaints of the respective districts.

Sec. 24z-15. All the provisions of the general revenue law in force prior
2 to the taking effect of this Act shall remain in force and be applicable to the
3 assessment of property and collection of taxes, except insofar as by this Act
4 is otherwise expressly provided.

Sec. 24z-16. This Act shall take effect and be in force on and after the
2 1st day of November, 1921.

Sec. 2. The title of this Act is amended to read as follows: "An Act
2 in relation to taxation."

Sec. 3. Section 28 is hereby repealed.



- 1 Introduced by Mr. Douglas, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

A BILL

For an Act to amend Section 6 of an Act entitled, "An Act to regulate the civil service of the State of Illinois," approved May 11, 1905, in force July 1, 1905, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 6 of an Act entitled, "An
3 Act to regulate civil service of the State of Illinois," approved May 11, 1905,
4 in force July 1, 1905, as subsequently amended, be and the same are hereby
5 amended to read as follows:

Sec. 6. EXAMINATION.] All applicants for offices or places in said classified
2 service, except those mentioned in section 11 hereof, shall be subjected to exam-
3 ination, which shall be public, competitive and free to all citizens of the State
4 of Illinois who may be lawfully appointed to any office or place in the service
5 of the commission as to residence, age, sex, health, habits, moral character and
6 qualifications to perform the duties of the office or place to be filled, which quali-
7 fication shall be prescribed by rule in advance of such examination: *Provided,*

8 *however, that in examinations for technical positions residence may be waived.*
9 Such examinations shall be practical in their character, and shall relate to those
10 matters which will fairly test the relative capacity of the persons examined to
11 discharge the duties of the position to which they seek to be appointed, and may
12 include test of physical qualifications and health, and when appropriate, of
13 manual skill. No question in any examination shall relate to political or reli-
14 gious opinions or affiliations. *All examinations shall be conducted in a manner*
15 *so that the identity of no applicant is disclosed until the final grades of all*
16 *applicants taking the same examination are determined. No examination shall*
17 *be given wholly or in part orally except for attendants, domestics and laborers*
18 *in the State charitable institutions. Trade tests may be given for the position*
19 *of baker, barber, blacksmith, bricklayer, butcher, carpenter, cook, electrician,*
20 *machinist, mason, painter, plasterer, plumber, and steamfitter, and tinner. These*
21 *trade tests when given orally shall consist of oral questions prepared in advance*
22 *and each applicant shall be asked the same questions. A stenographic report*
23 *shall be kept of every word uttered by the examiner and each applicant. Such*
24 *reports shall be transcribed on the typewriter and transcript shall be open for*
25 *public inspection. The commission shall control all examinations and may,*
26 *whenever an examination is to take place, designate a suitable number of per-*
27 *sons, either in or not in the official service of the State, to be examiners; and it*
28 *shall be the duty of such examiners, and if in the official service, it shall without*
29 *extra compensation, be a part of their official duty to conduct such an examina-*
30 *tion as the official may direct, and to make return or report thereof to said*
31 *commission; and the commission may at any time substitute any other person,*
32 *whether or not in such service, in the place of any one so selected, and the com-*
33 *mission may themselves at any time act as such examiners and without appoint-*
34 *ing examiners.*



- 1 Introduced by Mr. Douglas, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 2, of Division XIII of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 2 of Division XIII of an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, to read as follows:*

Sec. 2. Every person charged with crime shall be allowed counsel, and when he shall state upon oath that he is unable to procure counsel the court shall assign him competent counsel who shall conduct his defense. In all cases counsel shall have access to persons confined and shall have the right to see and consult such persons in private.

If the defendant appears for arraignment without counsel, he must be asked if he desires the aid of counsel, and if he does and is unable to employ any, the court must assign counsel. An attorney appointed by the court to defend a

9 person indicted for homicide, or any offense that punishment of which may be
10 life imprisonment shall receive from the county treasury out of the court fund
11 upon the certificate of justice presiding at the trial a fee of twenty-five dollars
12 (\$25.00) per day for the time actually occupied in court in the trial of defend-
13 ant. If the prosecution be for any other felony, he shall receive the sum of
14 twenty-five dollars (\$25.00) in full for services. For all cases punishable by fine
15 and imprisonment or imprisonment without fine he shall receive ten dollars
16 (\$10.00) in full for services. To be entitled to such compensation, the attorney
17 must file with the court his affidavit that he has not directly or indirectly re-
18 ceived or entered in a contract to receive any compensation for such services
19 from any source, but no allowance shall be made unless affidavit is filed with
20 the clerk of the court by or on the behalf of the defendant, showing that he is
21 wholly destitute of means.



- 1 Introduced by Mr. Roberts, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Uniform Laws.

A BILL

For an Act to amend an Act entitled, “An Act to promote the general welfare of the people of this state by providing compensation for accidental injuries or death suffered in the course of employment within this state; providing for the enforcement and administering thereof, and a penalty for its violation,” and repealing an Act entitled, ‘An Act to promote the general welfare of the people of this state by providing compensation for accidental injuries or death suffered in the course of employment;’ approved June 10, 1911, and in force May 1, 1912, (approved June 28, 1913), by amending the title and by adding eleven new sections thereto, to be numbered Sections 36 to 45 inclusive:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, “An Act to promote the general welfare of the people of this state by providing compensation for accidental injuries or death suffered in the course of employment within this state; providing for the enforcement and administering thereof, and a penalty for its violation”, and repealing an Act entitled, ‘An Act to promote the general welfare of the People of this state by providing compensation for accidental

injuries or death suffered in the course of employment;' approved June 10, 1911, and in force May 1, 1912, (approved June 28, 1913), be and the same is hereby amended by amending the title, and adding eleven new sections thereto, to be numbered Sections 36 to 45, inclusive, as follows:

(Title): The title of said Act is hereby amended to read as follows: "An Act to promote the General welfare of the people of this state by providing compensation for accidental injuries, *sickness* or death suffered in the course of employment within this state; providing for the enforcement and administering thereof, and a penalty for its violation," and repealing an Act entitled, "An Act to promote the general welfare of the people of this state by providing compensation for accidental injuries or death suffered in the course of employment", approved June 10, 1911, in force May 1, 1912, (approved June 28, 1913).

Sec. 36. If an employee is disabled or dies, and his disability or death is caused by a disease arising out of and in the course of his employment, or is caused by the aggravation of a pre-existing disease, which aggravation arises out of and in the course of his employment, and if such disease is included in the schedule of diseases shown in Section 37 of this Act, he or his dependents shall, except as hereinafter stated, be entitled to compensation to be determined and awarded to the same extent and in the same manner as though such disability or death resulted from a compensable personal injury or from a compensable accident.

Sec. 37:—

1 DESCRIPTION OF DISEASES—DESCRIPTION OF PROCESS.

2 1. Anthrax—Handling of wool, hair bristles, hides and skins.

3 2. Lead Poisoning or its sequelae—Any process involving the use of lead
4 or its preparations or compounds.

5 3. Mercury poisoning or its sequelae—Any process involving the use of
6 mercury or its preparation or compounds.

7 4. Phosphorus poisoning or its sequelae—Any process involving the use of
8 phosphorus or its preparations or compounds.

- 9 5. Arsenic poisoning or its sequelae—Any process involving the use of ar-
10 senic or its preparations or compounds.
- 11 6. Ankylostomiasis—Mining.
- 12 7. Poisoning by nitro—and amido—derivatives of benzine (dinitro-benzol,
13 anilin, and others), or its sequelae—Any process involving the use of a nitro—
14 or amido—derivative of benzine or its preparations or compounds.
- 15 8. Poisoning by carbon bi-sulphide or its sequelae—Any process involving
16 the use of carbon bisulphide or its preparations or compounds.
- 17 9. Poisoning by nitrous fumes or its sequelae—Any process in which nit-
18 rous fumes are evolved.
- 19 10. Poisoning by nickel carbonyl or its sequelae—Any process in which
20 nickel carbonyl gas is evolved.
- 21 11. Poisoning by *Gonioma Kamassi* (African boxwood) or its sequelae—
22 Any process in the manufacture of articles from *Gonioma Kamassi* (African
23 boxwood).
- 24 12. Chrome ulceration or its sequelae—Any process involving the use of
25 chromic acid or bichromate of ammonium, potassium, or sodium, or their prep-
26 arations.
- 27 13. Eczematous ulceration of the skin produced by dust or caustic or corro-
28 sive liquids, or ulceration of the mucous membrane of the nose or mouth pro-
29 duced by dust.
- 30 14. Epitheliomatous cancer or ulceration of the skin or of the corneal sur-
31 face of the eye, due to tar, pitch, bitumen, mineraloil or paraffin, or any com-
32 pound, product or residue of any of these substances—Handling or use of tar,
33 pitch, bitumen, mineral oil or paraffin, or any compound, product or residue of
34 any of these substances.
- 35 15. Scrotol epithelioma (chimneysweeps' cancer)—Chimney sweeping.
- 36 16. Miners' mystagmus—Mining.
- 37 17. Glanders—Care of any equine animal suffering from glanders; handling
38 the carcass of such animal.

- 39 18. Compressed air illness or its sequelae—Any process carried on in com-
 40 pressed air.
- 41 19. Subcutaneous cellulitis of the hand (beat hand)—Mining.
- 42 20. Subcutaneous cellulitis over the patella (miners' beat knee)—Mining.
- 43 21. Acute bursitis over the elbow (miners beat elbow)—Mining.
- 44 22. Inflammation of the synovial lining of the wrist joint and tendon sheaths
 45 —Mining.
- 46 23. Cataract in glassworkers—Process in the manufacture of glass involv-
 47 ing exposure to the glare of molten glass.
- 48 24. Telegraphist's cramp—Use of telegraphic instruments.
- 49 25. Writer's cramp.
- 50 26. Dope poisoning; that is poisoning by tetrachlormethane or any sub-
 51 stance used as or in conjunction with a solvent for acetate of cellulose or its
 52 sequelae—Any process in the manufacture of air craft.

Sec. 38. In this Act disability and incapacity are synonymous, and mean
 2 the state of being disabled or incapacitated from earning full wages.

Sec. 39. Neither the employee nor his dependents shall be entitled to com-
 2 pensation for disability or death resulting from a disease covered by this Act
 3 unless the disease or the aggravation of the disease is due to the nature of his em-
 4 ployment, whether under one or more employers, within one year previous to
 5 the disability or death.

Sec. 40. If an employee at the time of his employment wilfully and falsely
 2 represents in writing that he has not previously suffered from the disease which
 3 subsequently is the cause of his disability or death, no compensation shall be
 4 payable.

Sec. 41. If the disease, which is the cause of the disability or death, was con-
 2 tracted or aggravated while the employee was with several employers during
 3 the one year prior to the date of disability or death, each of said employers shall

4 be liable to the employee for a share of the compensation, fixed with reference to
5 the respective lengths of the several employments, the relative risk or exposure
6 in each, the earnings of the employee in each, and such other matters as may be
7 relevant and material.

8 Each employer shall be liable only for disability which is the result of risk
9 or exposure while the employee was in his employ.

Sec. 42. Any party to a proceeding to recover compensation for disability
2 or death caused by a disease covered by this Act may join any employer claimed
3 to be liable in whole or in part, and may file a claim that such other employer is
4 liable in whole or in part. Such claim shall be filed at least ten days before the
5 date set for hearing, unless by leave duly granted.

Sec. 43. If so requested in writing by an employer, the employee or his de-
2 pendants shall furnish such information as he or they may possess as to the
3 names and addresses of all his other employers during the said one year, and if
4 such information is not furnished when so requested, then the employer so re-
5 questing shall not be liable to pay compensation until such request is complied
6 with; but a misstatement in the information furnished as aforesaid shall not im-
7 pair the employee's rights or those of his dependents except so far as such em-
8 ployer is prejudiced thereby.

Sec. 44. Any one who seeks compensation under this Act shall as soon as
2 practicable give notice of disability or death and of his claim for compensation
3 to the employer or employers claimed by him to be liable to pay compensation
4 on account of disability or death, but any failure to give notice as aforesaid shall
5 not impair the employee's rights or those of his dependents except so far as the
6 employer is prejudiced thereby.

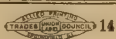
Sec. 45. Whenever any employer receives a notice and claim, or either,
2 from an employee or his dependents he shall, as soon as reasonable may be, send
3 a copy of such notice and claim, or either, to all other employers during said one
4 year known to him.

Sec. 46. The results of risks or exposure before this Act takes effect shall
2 be excluded in awarding compensation hereunder.

Sec. 47. This Act shall be so interpreted and construed as to effectuate its
2 general purpose to make uniform the law of those states which enact it.

Sec. 48. This Act may be cited as the Unifor Occupational Diseases Act.

Sec. 49. All Acts and part of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. Weiss, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Uniform Laws.

A BILL

For an Act to provide for the registration of all births, still births and deaths in the State of Illinois, and to make uniform the law with reference thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Health
3 shall have charge of the registration of births and deaths, shall prepare the
4 necessary instructions, forms and blanks for obtaining and preserving such
5 records and shall procure the faithful registration of the same in each pri-
6 mary registration district as constituted in Section 3 of this Act, and in the
7 central bureau of vital statistics, at the capital of the State. The Department
8 shall be charged with the uniform and thorough enforcement of the law
9 throughout the State, and shall from time to time recommend any additional
10 legislation that may be necessary for this purpose.

Sec. 2. The Department of Public Health shall have general supervision
2 over the Central Bureau of Vital Statistics, which is hereby authorized to be
3 established by said Department, and which shall be under the immediate direc-

4 tion of the State Registrar of Vital Statistics, whom the Department shall
 5 appoint within thirty days after the taking effect of this law, and who shall
 6 be a medical practitioner of not less than five years' practice in his profes-
 7 sion, and a competent Vital Statistician. The State Registrar of Vital Statis-
 8 ties shall hold office for four years and until his successor has been appointed
 9 and has qualified, unless such office shall sooner become vacant by death, dis-
 10 qualification, operation of law, or other causes. Any vacancy occurring in
 11 such office shall be filled for the unexpired term by the Department of Public
 12 Health. At least ten days before the expiration of the term of office of the
 13 State Registrar of Vital Statistics, his successor shall be appointed by the
 14 Department of Public Health. The State Registrar of Vital Statistics shall
 15 receive an annual salary at the rate ofdollars from the date of
 16 his entering upon the discharge of the duties of his office. The Depart-
 17 ment of Public Health shall provide for such clerical and other assistants as
 18 may be necessary for the purposes of this Act, who shall serve during the
 19 pleasure of Department, and shall fix the compensation of persons thus em-
 20 ployed within the amount appropriated therefor by the legislature. The cus-
 21 todian of the capitol shall provide for the Bureau of Vital Statistics in the
 22 State Capitol at Springfield, suitable offices, which shall be properly equipped
 23 with fireproof vault and filing cases for the permanent and safe preservation
 24 of all official records made and returned under this Act.

Sec. 3. For the purposes of this Act the State shall be divided into reg-
 2 istration districts as follows: Each city, each incorporated town, and each
 3 township shall constitute a primary registration district; provided, that the
 4 Department may combine two or more primary registration districts when
 5 necessary to facilitate registration.

Sec. 4. Within ninety days after the taking effect of this Act, or as soon
 2 thereafter as possible, the Department of Public Health shall appoint a local
 3 registrar of vital statistics for each registration district in the State. The

4 term of office of each local registrar so appointed shall be for four years, and
5 until his successor has been appointed and has qualified, unless such office
6 shall sooner become vacant by death, disqualification, operation of law, or
7 other causes; provided, that in cities where health officers or other officials are,
8 in the judgment of the Department of Public Health, conducting effective reg-
9 istration of births and deaths under local ordinances at the time of the taking
10 effect of this Act, such officials may be appointed as registrars in and for
11 such cities, and shall be subject to the rules and regulations of the State Reg-
12 istrar, and to all of the provisions of this Act. Any vacancy occurring in the
13 office of local registrar of vital statistics shall be filled for the unexpired term
14 by the Department of Public Health. At least ten days before the expiration
15 of the term of office of any such local registrar, his successor shall be appointed
16 by the Department of Public Health.

17 Any local registrar who, in the judgment of the Department of Public
18 Health, fails or neglects to discharge efficiently the duties of his office as set
19 forth in this Act, or to make prompt and complete returns of births and deaths
20 as required thereby, shall be forthwith removed by the Department of Public
21 Health, and such other penalties may be imposed as are provided under Sec-
22 tion 22 of this Act.

23 Each local registrar shall, immediately upon his acceptance of appointment
24 as such, and at such other times as may be necessary, appoint a deputy,
25 whose duty it shall be to act in his stead in case of his absence or disability,
26 and who may be removed by him, and such deputy shall in writing accept such
27 appointment, and be subject to all rules and regulations governing local regis-
28 trars. And when it appears necessary for the convenience of the people in any
29 rural district, the local registrar is hereby authorized, with the approval of the
30 State Registrar, to appoint one or more suitable persons to act as subregistrars,
31 who shall be authorized to receive certificates and to issue burial or removal
32 permits in and for such portions of the district as may be designated; and
33 each subregistrar shall note, on each certificate, over his signature, the date

34 of filing, and shall forward all certificates to the local registrar of the district
 35 within ten days, and in all cases before the third day of the following month
 36 provided, that each subregistrar shall be subject to the supervision and con-
 37 trol of the State Registrar, and may be by him removed for neglect or fail-
 38 ure to perform his duty in accordance with the provisions of this Act or the
 39 rules and regulations of the State Registrar, and shall be subject to the same
 40 penalties for neglect of duty as the local registrar.

Sec. 5. The body of any person whose death occurs in this State, or which
 2 shall be found dead therein, shall not be interred, deposited in a vault or tomb
 3 cremated or otherwise disposed of, or removed from or into any registration
 4 district, or be temporarily held pending further disposition more than 72
 5 hours after death, unless a permit for burial, removal, or other disposition
 6 thereof shall have been properly issued by the local registrar of the registra-
 7 tion district in which the death occurred or the body was found. And no such
 8 permit shall be issued by any registrar until, wherever practicable, a complete
 9 and satisfactory certificate of death has been filed with him as hereinafter
 10 provided; provided, that when a dead body is transported from outside the
 11 State into a registration district in Illinois for burial, or other disposition, the
 12 transit or removal permit, issued in accordance with the law and health regu-
 13 lations of the place where the death occurred, shall be accepted by the local
 14 registrar of the district into which the body has been transported for burial
 15 or other disposition, as a basis upon which he may issue a local permit, he
 16 shall note upon the face of such permit the fact that it was a body shipped
 17 in for interment, or other disposition, and give the actual place of death; and
 18 no local registrar shall receive any fee for the issuance of such permits under
 19 this Act other than the compensation provided in Section 20.

Sec. 6. A stillborn child shall be registered as a birth and also as a death,
 2 and separate certificates of both the birth and the death shall be filed with the
 3 local registrar, in the usual form and manner, the certificate of birth to contain

4 in place of the name of the child, the word "stillbirth"; provided, that a cer-
5 tificate of birth and a certificate of death shall not be required for a child
6 that has not advanced to the fifth month of uterogestation. The medical cer-
7 tificate of the cause of death shall be signed by the attending physician, if any,
8 and shall state the cause of death as "stillborn," with the cause of the still-
9 birth, if known, whether a premature birth, and, if born prematurely, the period
10 of uterogestation, in months, if known; and a burial or removal permit of the
11 prescribed form shall be required. Midwives shall not sign certificates of death
12 for stillborn children, but such cases, and stillbirths occurring without attend-
13 ance of either physician or midwife, shall be treated as deaths without medical
14 attendance, as provided for in Section 8 of this Act.

Sec. 7. The certificate of death shall contain the following items, which
2 are hereby declared necessary for the public health, welfare and convenience,
3 and for legal, social, and sanitary purposes, which are hereby declared to be
4 subserved by registration records:

5 (1) Place of death, including state, county, township, village or city. If
6 in a city, the ward, street, and house number; if in a hospital or other insti-
7 tution, the name of the same to be given instead of the street and house number.
8 If in an industrial camp, the name of the camp to be given.

9 (2) Full name of decedent. If an unnamed child, the surname preceded
10 by "Unnamed."

11 (3) Sex.

12 (4) Color or race—as white, black, mulatto (or other negro descent),
13 Indian, Chinese, Japanese, or other.

14 (5) Conjugal condition—as single, married, widowed or divorced.

15 (6) Date of birth, including the year, month and day.

16 (7) Age, in years, months and days. If less than one day, the hours or
17 minutes.

18 (8) Occupation. The occupation to be reported of any person, male or
19 female, who had any remunerative employment, with the statement of (a)

20 trade, profession or particular kind of work; (b) general nature of industry,
21 business or establishment in which employed (or employer).

22 (9) Birthplace; at least state or foreign country, if known.

23 (10) Name of father, provided that if the child or person is illegitimate,
24 the name or residence of or other identifying details relating to the father or
25 reputed father shall not be entered without his consent; provided further, that
26 whenever a judgment has been entered determining the paternity of an illegiti-
27 mate child, the clerk of the court where entered shall report the facts to the
28 State Registrar who shall record the name of the father and sufficient data to
29 identify the judgment, in connection with the record of the death of the child
30 appearing in his office. A report by the clerk of any court subsequently vacat-
31 ing such judgment shall be made and recorded in like manner.

32 (11) Birthplace of father, at least state or foreign country, if known.

33 (12) Maiden name of mother, provided that if the child or person is ille-
34 gitimate, the name or residence or other identifying details relating to the
35 mother shall not be entered without her consent; provided further, that when-
36 ever a judgment has been entered determining the paternity of an illegitimate
37 child, the clerk of the court where entered shall report the facts to the State
38 Registrar who shall record the name of the mother, and sufficient data to iden-
39 tify the judgment, in connection with the death of the child, appearing in his
40 office. A report by the clerk of any court subsequently vacating such judg-
41 ment shall be made and recorded in like manner.

42 (13) Birthplace of mother, at least state or foreign country, if known.

43 (14) Signature and address of informant.

44 (15) Official signature of registrar, with the date when certificate was
45 filed, and registered number.

46 (16) Date of death, year, month and day.

47 (17) Certification as to medical attendance on decedent, fact and time of
48 death, time last seen alive, and the cause of death, with contributory (second-
49 ary) cause of complication, if any, and duration of each, and whether attrib-

uted to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.

(18) Length of residence (for inmates of hospitals and other institution; transients or recent residents) at place of death and in the state, together with the place where disease was contracted, if not at place of death, and former or usual residence.

(19) Place of burial or removal; date of burial.

(20) Signature and address of undertaker or person acting as such.

The personal and statistical particulars (Items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts.

The statement of facts relating to the disposition of the body shall be signed by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause); and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will be held sufficient for the issuance of a burial or removal permit, and any certificate containing only such terms, as defined by the State Registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence the means of injury shall be stated, and whether (probably) accidental, suicidal or homicidal. And for deaths in hospitals, or of non-residents, the physician shall supply the information, required under this head (Item 18), if he is able to do so, and may state where, in his opinion, the disease was contracted.

Sec. 8. In case of any death occurring without medical attendance, it shall
 2 be the duty of the undertaker to notify the local registrar of such death, and
 3 when so notified the registrar shall, prior to the issuance of the permit, inform
 4 the local health officer and refer the case to him for immediate investigation
 5 and certification; provided, that when the local health officer is not a physician,
 6 or when there is no such official, and in such cases only, the registrar is au-
 7 thorized to make the certificate and return from the statement of relatives or
 8 other persons having adequate knowledge of the facts; provided, further, that
 9 if the registrar has reason to believe that the death may have been due to un-
 10 lawful act or neglect, he shall then refer the case to the coroner or other
 11 proper officer for investigation and certification. And the coroner or other
 12 proper officer whose duty it is to hold an inquest on the body of any deceased
 13 person, and to make the certificate of death required for a burial permit, shall
 14 state in his certificate the name of the disease causing death, or if from exter-
 15 nal causes (1) the means of death; and (2) whether (probably) accidental,
 16 suicidal, or homicidal; and shall, in any case, furnish such information as may
 17 be required by the State Registrar in order properly to classify the death.

Sec. 9. The undertaker, or person acting as undertaker, shall file the cer-
 2 tificate of death with the local registrar of the district in which the death
 3 occurred and obtain a burial or removal permit prior to any disposition of the
 4 body. He shall obtain the required personal and statistical particulars from
 5 the person best qualified to supply them, over the signature and address of the
 6 informant. He shall then present the certificate to the attending physician, if
 7 any, or to the health officer or coroner, as directed by the local registrar, for
 8 the medical certificate of the cause of death and other particulars necessary to
 9 complete the record, as specified in Sections 7 and 8. And he shall then state
 10 the facts required relative to the date and place of burial or removal, over his
 11 signature and with his address, and present the completed certificate to the local
 12 registrar in order to obtain a permit for burial, removal or other disposition
 13 of the body. The undertaker shall deliver the burial permit to the person in

14 charge of the place of burial, before interring or otherwise disposing of the
15 body; or shall attach the removal permit to the box containing the corpse, when
16 shipped by any transportation company; said permit to accompany the corpse
17 to its destination, where, if within this State, it shall be delivered to the person
18 in charge of the place of burial.

19 Every person, firm, or corporation selling a casket, shall keep a record
20 showing the name of the purchaser, purchaser's postoffice address, name of
21 deceased, date of death, and place of death of deceased, which record shall be
22 open to inspection of the State Registrar at all times. On the first day of each
23 month the person, firm or corporation, selling caskets shall report to the State
24 Registrar each sale for the preceding month, on a blank provided for that pur-
25 pose; provided, however, that no person, firm or corporation selling caskets to
26 dealers or undertakers only shall be required to keep such record, nor shall
27 such report be required from undertakers when they have direct charge of the
28 disposition of a dead body.

29 Every person, firm, or corporation selling a casket at retail, and not having
30 charge of the disposition of the body, shall inclose within the casket a notice
31 furnished by the State Registrar calling attention to the requirements of the
32 law, a blank certificate of death, and the rules and regulations of the Depart-
33 ment of Public Health concerning the burial or other disposition of a dead body.

Sec. 10. If the interment, or other disposition of the body, is to be made
2 within the State, the wording of the burial or removal permit may be limited
3 to a statement by the registrar, and over his signature, that a satisfactory
4 certificate of death having been filed with him, as required by law, permission
5 is granted to inter, remove, or dispose otherwise of the body, stating the name,
6 age, sex, cause of death, and other necessary details upon the form prescribed
7 by the State Registrar.

Sec. 11. No person in charge of any premises on which interments or
2 other disposition of bodies are made shall inter or permit the interment or

3 other disposition of any body unless it is accompanied by a burial, removal
4 or transit permit, as herein provided. And such person shall indorse upon the
5 permit the date of interment, or other disposition, over his signature, and shall
6 return all permits so indorsed to the local registrar of his district within ten
7 days from the date of interment, or other disposition, or within the time fixed
8 by the local [board of health]. He shall keep a record of all bodies interred
9 or otherwise disposed of on the premises under his charge, in each case stating
10 the name of each deceased person, place of death, date of burial or disposal,
11 and name and address of the undertaker, which record shall at all times be
12 open to official inspection; provided, that the undertaker or person acting as
13 such, when burying a body in a cemetery or burial ground having no person
14 in charge, shall sign the burial or removal permit, giving the date of burial,
15 and shall write across the face of the permit the words "No person in charge,"
16 and file the burial or removal permit within ten days with the registrar of the
17 district in which the cemetery is located.

Sec. 12. The birth of each and every child born in this State shall be regis-
2 tered as hereinafter provided.

Sec. 13. Within ten days after the date of each birth, there shall be filed
2 with the local registrar of the district in which the birth occurred a certificate
3 of such birth, which certificate shall be upon the form adopted by the Depart-
4 ment of Public Health, with a view to procuring a full and accurate report with
5 respect to each item of information enumerated in Section 14 of this Act.

6 In each case where a physician, midwife, or person acting as midwife was
7 in attendance upon the birth, it shall be the duty of such physician, midwife,
8 or person acting as midwife, to file in accordance herewith the certificate herein
9 contemplated.

10 In each case where there was no physician, midwife, or person acting as
11 midwife, in attendance upon the birth, it shall be the duty of the father or
12 mother of the child, the householder or owner of the premises where the birth

13 occurred, or the manager or superintendent of the public or private institution
14 where the birth occurred, each in the order named, within ten days after the
15 date of such birth, to report to the local registrar the fact of such birth. In
16 such case and in case the physician, midwife, or person acting as midwife, in
17 attendance upon the birth does not possess and cannot obtain, without inde-
18 pendent inquiry, any item or items of information contemplated in Section 14 of
19 this Act, it shall be the duty of the local registrar to secure from any person
20 having the required knowledge, such information as will enable him to prepare
21 the certificate of birth herein contemplated, and it shall be the duty of the
22 person reporting the birth or who may be interrogated in relation thereto to
23 answer correctly and to the best of his knowledge all questions put to him by
24 the local registrar which may be calculated to elicit any information needed to
25 make a complete record of the birth as contemplated by said Section 14, and
26 it shall be the duty of the informant as to any statement made in accordance
27 herewith to verify such statement by his signature, when requested so to do
28 by the local registrar.

Sec. 14. The certificate of birth shall contain the following items which
2 are hereby declared necessary for the public health, welfare and convenience
3 and for legal, social, and sanitary purposes which are hereby declared to be
4 subserved by registration records:

5 (1) Place of birth, including state, county, township or town, village or
6 city. If in a city, the ward, street, and house number; if in a hospital or other
7 institution, the name of the same to be given, instead of the street and house
8 number.

9 (2) Full name of child. If the child dies without a name, before the cer-
10 tificate is filed, enter the words "Died unnamed." If the living child has not
11 yet been named at the date of filing certificate of birth, the space for "full
12 name of child" is to be left blank, to be filled out subsequently by a supple-
13 mental report, as hereinafter provided.

14 (3) Sex of child.

15 (4) Whether a twin, triplet, or other plural birth. A separate certificate
16 shall be required for each child in case of plural births.

17 (5) For plural births, number of each child in order of birth.

18 (6) Whether legitimate or illegitimate.

19 (7) Date of birth, including the year, month and day.

20 (8) Full name of father; provided, that if the child is illegitimate, the
21 name or residence of, or other identifying details relating to, the putative father
22 shall not be entered without his consent; provided, further, that whenever a
23 judgment has been entered determining the paternity of an illegitimate child,
24 the clerk of the court where entered shall report the facts to the State Regis-
25 trar who shall record the name of the father, and sufficient data to identify
26 the judgment, in connection with the record of the child appearing in his office.
27 A report by the clerk of any court subsequently vacating such judgment shall
28 be made and recorded in like manner.

29 (9) Residence of father.

30 (10) Color or race of father.

31 (11) Age of father at last birthday, in years.

32 (12) Birthplace of father; at least state or foreign country, if known.

33 (13) Occupation of father. The occupation to be reported if engaged in
34 any remunerative employment, with the statement of (a) trade, profession, or
35 particular kind of work; (b) general nature of industry, business or establish-
36 ment in which employed (or employer).

37 (14) Maiden name of mother, provided, that if the child is illegitimate the
38 name or residence of, or other identifying details relating to, the mother shall
39 not be entered without her consent; provided, further, that whenever a judg-
40 ment has been entered determining the paternity of an illegitimate child, the
41 clerk of the court where entered shall report the facts to the State Registrar
42 who shall record the name of the mother, and sufficient data to identify the judg-
43 ment, in connection with the record of the birth of the child appearing in his

44 office. A report by the clerk of any court subsequently vacating such judg-
45 ment shall be made and entered in like manner.

46 (15) Residence of mother.

47 (16) Color or race of mother.

48 (17) Age of mother at last birthday, in years.

49 (18) Birthplace of mother; at least state or foreign country, if known.

50 (19) Occupation of mother. The occupation to be reported if engaged in
51 any remunerative employment, with the statement of (a) trade, profession, or
52 particular kind of work; (b) general nature of industry, business or establish-
53 ment in which employed (or employer).

54 (20) Number of children born to this mother, including present birth.

55 (21) Number of children of this mother living.

56 (22) The certificate of attending physician or midwife as to attendance
57 at birth, including statement of year, month, day (as given in Item 7), and
58 hour of birth, and whether the child was born alive or stillborn. This certifi-
59 cation shall be signed by the attending physician or midwife, with date of signa-
60 ture and address; if there is no physician or midwife in attendance, then by
61 the father or mother of the child, householder, owner of the premises, or mana-
62 ger or superintendent of public or private institution where the birth occurred,
63 or other competent person, whose duty it shall be to notify the local registrar
64 of such birth, as required by Section 13 of this Act.

65 (23) Exact date of filing in office of local registrar, attested by his official
66 signature, and registered number of birth, as hereinafter provided.

Sec. 15. When any certificate of birth of a living child is presented with-
2 out the statement of the given name, then the local registrar shall make out
3 and deliver to the parents of the child a special blank for the supplemental
4 report of the given name of the child, which shall be filled out as directed,
5 and returned to the local registrar as soon as the child shall have been named.

Sec. 16. Every physician, midwife, and undertaker shall, without delay,
2 register his or her name, address and occupation with the local registrar of
3 the district in which he or she resides, or may hereafter establish a residence:
4 and shall thereupon be supplied by the local registrar with a copy of this Act,
5 together with such rules and regulations as may be prepared by the State Reg-
6 istrar relative to its enforcement.

7 Within thirty days after the close of each calendar year, each local regis-
8 trar shall make a return to the State Registrar of all physicians, midwives,
9 or undertakers who have been registered in his district during the whole or
10 any part of the preceding calendar year: *Provided*, that no fee or other com-
11 pensation shall be charged by local registrars to physicians, midwives or un-
12 dertakers for registering their names under this section or making returns
13 thereof to the State Registrar.

Sec. 17. All superintendents or managers, or other persons in charge of
2 hospitals, almshouses, lying-in or other institutions, public or private, to which
3 persons resort for treatment of diseases, confinement, or are committed by
4 process of law, shall make a record of all the personal and statistical par-
5 ticulars relative to the inmates in their institution at the date of approval of
6 this Act, which are required in the forms of the certificates provided for by
7 this Act, as directed by the State Registrar; and thereafter such record shall
8 be, by them, made for all future inmates at the time of their admittance. And
9 in case of persons admitted or committed for treatment of disease, the physi-
10 cian in charge shall specify for entry in the record, the nature of the disease,
11 and where, in his opinion, it was contracted. The personal particulars and in-
12 formation required by this section shall be obtained from the individual him-
13 self if it is practicable to do so; and when they cannot be so obtained, they
14 shall be obtained in as complete a manner as possible from relatives, friends,
15 or other persons acquainted with the facts.

Sec. 18. The State Registrar shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording and preserving the returns, or in otherwise carrying out the purposes of this Act; and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State Registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State Registrar or upon the original certificate, such information as to the items mentioned in sections numbered seven and fourteen of this Act, as they may possess regarding any birth or death, upon demand of the State Registrar, in person, by mail, or through the local registrar: *Provided*, that no certificate of birth or death, after its acceptance for registration by the local registrar, and no other record made in pursuance of this Act, shall be altered or changed in any respect otherwise than by amendments properly dated, signed, and witnessed. The State Registrar shall further arrange, bind, and permanently preserve the certificate in a systematic manner and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; said index to be arranged alphabetically in the case of deaths, by the names of decedents, and in the case of births, by the names of the children, where stated, as well as of the fathers and mothers, subject, however, to the provisions of Sections seven and fourteen of this Act. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the State Board of Health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread.

30 At the expiration of five years after the approval of this Act, certificates
 31 from the State Registrar containing the information herein below stated,
 32 shall be accepted by public school authorities in this State as *prima facie* evi-
 33 dence of age of children registering for school attendance and no other proof
 34 shall be required. At the expiration of fourteen years from the passage of
 35 this Act, such certificates from the State Registrar shall be required by all
 36 factory inspectors, and employers of youthful labor, as *prima facie* proof of
 37 age and no other proof shall be required from children born in this State or
 38 States which for fourteen years previous to the date of such certificate have
 39 had registration laws essentially identical with this Act: *Provided*, that when
 40 it is not possible to secure such certificate for any child, the school authori-
 41 ties, factory inspectors and employers of youthful labor may accept as sec-
 42 ondary proof of age any competent evidence by which the age of persons is
 43 usually established.

44 The certificate required by the preceding paragraph shall contain state-
 45 ments, taken from the transcript from the birth registration certificates here-
 46 inabove required to be filed as provided by Section twenty-one hereof, show-
 47 ing the name, sex, color or race of each child, name of mother, subject, how-
 48 ever, to the provisions of Sections fourteen and nineteen hereof, and the city,
 49 town, village and country, as well as the date, of the birth.

50 If any cemetery company or association, or any church or historical society
 51 or association, or any other company, society or association, or any individual
 52 is in possession of any record of births or deaths which may be of value in
 53 establishing the genealogy of any resident of this State, such company, so-
 54 ciety, association or individual, may file such record or a duly authenticated
 55 transcript thereof with the State Registrar, and it shall be the duty of the
 56 State Registrar to preserve such record or transcript and to make a record
 57 any index thereof in such form as to facilitate the finding of any information
 58 contained therein.

Sec. 19. RECORDS OF LEGITIMACY SHOWN ONLY ON ORDER OF COURT.] Except

when ordered by a court of competent jurisdiction in a case where such information is necessary for the determination of personal or property rights, and then only for such purpose, no member of the State Board of Health, nor any State nor local registrar, nor any person connected with the office of either, shall disclose the fact that any record in this Act provided for, shows that any child was either legitimate or illegitimate.

The [] court shall have jurisdiction, upon petition against and notice to the State Registrar, under such rules and regulations as the court may prescribe, to issue such writs or orders permitting or requiring the inspection of such records and the making and delivery of certified copies thereof as to it may seem just and proper.

Sec. 20. LOCAL REGISTRARS—DUTIES.] Each local registrar shall supply

blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made in accordance with the provisions of this Act and the instructions of the State Registrar; and if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the return, and to withhold the burial or removal permit until such defects are corrected, if practicable. All certificates, either of birth or of death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: *Provided*, that in case the death occurred from some disease which is held by the State Board of Health to be infectious, contagious, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State Board of Health. If a certificate of

19 birth is incomplete, the local registrar shall immediately proceed to secure the
20 missing items of information, as provided in Section 13 of this Act, if they
21 can be obtained. He shall number consecutively the certificates of birth and
22 death, in two separate series, beginning with number 1 for the first birth and
23 the first death in each calendar year, and sign his name as registrar in attest
24 of the date of filing in his office. He shall also make a complete and accu-
25 rate copy of each birth, and each death certificate registered by him in a
26 record book supplied by the State Registrar, to be preserved permanently in
27 his office as the local record, in such manner as directed by the State Regis-
28 trar. And he shall, on the tenth day of each month, transmit to the State
29 Registrar all original certificates registered by him for the preceding month.
30 And if no births or no deaths occurred in any month, he shall, on the tenth day
31 of the following month, report that fact to the State Registrar, on a card pro-
32 vided for such purpose.

Sec. 21. Immediately upon the receipt by the State Registrar of each
2 birth certificate, he shall from such certificate make a transcript containing
3 the items of information specified uunder Section 18 hereof, as those to be fur-
4 nished to school authorities, factory inspectors and employers of youthful
5 labor, and only from such transcript shall the certificates aforesaid be
6 compiled.

Sec. 22. Each local registrar shall be paid the sum of twenty-five cents for
2 each birth certificate and each death certificate properly and completely made
3 out and registered with him, and correctly recorded and promptly returned by
4 him to the State Registrar, as required by this Act. And in case no births or
5 no deaths were registered during any month, the local registrar shall be entitled
6 to be paid the sum of twenty-five cents for each report to that effect, but only
7 if such report be made promptly as required by this Act. All amounts payable
8 to a local registrar under the provisions of this section shall be paid by the
9 treasurer of the county in which the registration district is located, upon cer-

10 tification by the State Registrar. And the State Registrar shall annually cer-
11 tify to the treasurers of the several counties the number of births and deaths
12 properly registered, with the names of the local registrars and the amounts due
13 each at the rate fixed herein.

Sec. 23. The State Registrar shall, upon request, supply to any applicant
2 a certified copy of the transcript of the record of any birth as set forth in the
3 provisions of sections 18 and 21 hereof, or death registered under provisions
4 of this Act, for the making and certification of which he shall be entitled to a
5 fee of fifty cents, to be paid by the applicant, provided, that the fact that any
6 child was either legitimate or illegitimate or other facts from which such fact
7 could be determined, shall not be disclosed except when ordered by a court of
8 competent jurisdiction in accordance with Section nineteen hereof; and pro-
9 vided, that the United States Bureau of the Census may obtain, without ex-
10 pense to the State, transcripts or certified copies of births and deaths without
11 payment of the fees herein prescribed. And any such copy of the record of a
12 birth or death, when properly certified by the State Registrar, shall be *prima*
13 *facie* evidence in all courts and places of the facts therein stated. For any
14 search of the files and records when no certified copy is made, the State Regis-
15 trar shall be entitled to a fee of fifty cents for each hour or fractional part of an
16 hour of time of search, said fee to be paid by the applicant. And the State
17 Registrar shall keep a true and correct account of all fees by him received under
18 these provisions, and turn the same over to the State Treasurer.

Sec. 24. Any person, who for himself or as an officer, agent, or employee
2 of another person, or of any corporation or partnership (a) shall inter, cre-
3 mate, or otherwise finally dispose of the dead body of a human being, or permit
4 the same to be done, or shall remove said body from the primary registration
5 district in which the death occurred or the body was found, without the au-
6 thority of a burial or removal permit issued by the local registrar of the dis-
7 trict in which the death occurred or in which the body was found; or (b) shall

8 refuse or fail to furnish correctly, as required by this Act, any information
9 in his possession, or shall furnish false information affecting any certificate or
10 record, required by this Act, or who in violation of this Act shall disclose any
11 information; or (c) shall willfully alter, otherwise than is provided by Section
12 18 of this Act, or shall falsify any certificate of birth or death, or any record
13 established by this Act; or (d) being required by this Act to fill out a certifi-
14 cate of birth or death and file the same with the local registrar, or deliver it,
15 upon request, to any person charged with the duty of filing the same, shall
16 fail, neglect or refuse to perform such duty in the manner required by this Act;
17 or (e) being a local registrar, deputy registrar, or subregistrar, shall fail, neg-
18 lect, or refuse to perform his duty as required by this Act and by the instruc-
19 tions and directions of the State Registrar thereunder, shall be deemed
20 guilty of a misdemeanor and upon conviction thereof shall for the first offense
21 be fined not less than five dollars (\$5.00) nor more than fifty dollars (\$50.00),
22 and for each subsequent offense not less than ten dollars (\$10.00) nor more
23 than one hundred dollars (\$100.00), or be imprisoned in the county jail not
24 more than sixty days or be both fined and imprisoned in the discretion of the
25 court.

Sec. 25. That each local registrar is hereby charged with the strict and
2 thorough enforcement of the provisions of this Act in his registration district,
3 under the supervision and direction of the State Registrar. And he shall make
4 an immediate report to the State Registrar of any violation of this law coming
5 to his knowledge, by observation or upon complaint of any person, or
6 otherwise.

7 The State Registrar is hereby charged with the thorough and efficient
8 execution of the provisions of this Act in every part of the State, and is hereby
9 granted supervisory power over local registrars, deputy local registrars, and
10 subregistrars, to the end that all of its requirements shall be uniformly com-
11 plied with. The State Registrar, either personally or by an accredited repre-
12 sentative, shall have authority to investigate cases of irregularity or violation

13 of law, and all registrars shall aid him, upon request, in such investigations.
14 When he shall deem it necessary, he shall report cases of violation of any of
15 the provisions of this Act to the prosecuting attorney of the county, with a
16 statement of the facts and circumstances; and when any such case is reported
17 to him by the State Registrar, the prosecuting attorney shall forthwith initiate
18 and promptly follow up the necessary court proceedings against the person or
19 corporation responsible for the alleged violation of law. And upon request of
20 the State Registrar, the Attorney General shall assist in the enforcements of
21 the provisions of this Act.

Sec. 26. All laws and parts of law in conflict or inconsistent herewith are
2 hereby repealed.

Sec. 27. This Act may be cited as the *Uniform Vital Statistics Act*, and
2 shall be so interpreted and construed as to effectuate its general purpose to
3 make uniform the law of the several states.

- 1 Introduced by Mr. Holten March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

A BILL

For an Act to add Section 46½ to "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 46½ is added to "An Act to pro-
3 vide for the regulation of public utilities," approved June 30, 1913, in force
4 January 1, 1914, as amended, the added section to read as follows:

Sec. 46½. *The commission shall require that all companies furnishing nat-*
2 *ural or artificial gas, electricity or water to the public, if the individual consump-*
3 *tion is measured by meter, furnish to the consumer a duplicate reading of such*
4 *meter at the time that the meter reading is taken.*

5 *This duplicate shall show the present reading of the meter, the last previous*
6 *reading, the dates of the two readings and the consumption as shown between*
7 *the two dates. The duplicate shall be left with the consumer or some person*
8 *of his family or in his employ on the premises where the meter is located.*



1 Introduced by Mr. Emmons, March 30, 1921.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the construction of a bridge across the Wabash River at Vincennes and making an appropriation to the Department of Public Works and Buildings therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The Department of Public Works and Buildings is authorized and directed to construct jointly with the State of Indiana or such department, commission or agency as the State of Indiana may direct, a bridge across the Wabash River at Vincennes at the eastern terminus of the State bond issue road, known as Route 12.

Sec. 2. There is appropriated to the Department of Public Works and Buildings the sum of one hundred fifty thousand (\$150,000.00) dollars, or so much thereof as may be necessary, to pay one-half of the cost of construction of the bridge authorized by this Act.

Sec. 3. This appropriation is subject to the provisions of "An Act in
2 relation to State finance," approved June 10, 1919, in force July 1, 1919.

Sec. 4. Because of an emergency this Act shall take effect upon its
2 passage.



- 1 Introduced by Mr. Lyon, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to confer additional powers upon city councils in cities and presidents and boards of trustees in villages and incorporated towns concerning franchises, privileges, occupations, businesses and employments.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That, subject to general laws now exist-
3 ing or hereafter enacted, the city council in cities, and the president and board of
4 trustees in villages and towns, in addition to existing powers, shall have power
5 and authority to tax or license, for purposes of regulation and revenue, persons
6 and corporations within such municipalities who own, or use or operate under,
7 franchises or privileges granted by the State or by the municipality, or who are
8 engaged in occupations, businesses or employments for gain.

9 Ordinances passed hereunder may provide for a graded license fee or tax
10 based on the number of employes or the size or extent of the business. The
11 powers herein granted shall not be construed so as to divest any city, village or
12 incorporated town of any power now or hereafter delegated by law to tax,
13 license, regulate or control any specific occupation, busineses, employment, fran-
14 chise or privilege in the manner prescribed by law.



- 1 Introduced by Mr. Baldwin, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to habeas corpus", approved March 2, 1874, in force July 1, 1874, by adding thereto a new section to be known as Section 37.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* An Act entitled, "An Act to revise the law in relation to habeas corpus", approved March 2, 1874, in force July 1, 1874, is amended by adding thereto a section to be known as Section 37 to read as follows:

Sec. 37. *All decisions by a court other than the Supreme Court and all decisions by a judge in vacation on writs of habeas corpus shall be final and reviewable by writs of error, and arecord of the proceedings shall be made when the hearing is before a judge, the same as when it is before the court. Writs of error in such cases shall be prosecuted to the Appellate Court of the District in which the hearing is held. The respondent shall be entitled to prosecute a writ*

7 of error to the same extent as the relator or petitioner. The party feeling him-
8 self aggrieved by the decision of the court or judge, shall file a petition for a writ
9 of error with the presiding judge of the Appellate Court or any branch thereof,
10 accompanied by the record, abstract, brief and argument in support thereof,,
11 and, at the same time, shall file with each of the other two judges of said court a
12 copy of the petition, abstract of record, brief and argument; and it shall be the
13 duty of each judge to consider and decide the question of whether a writ of error
14 shall be denied or shall issue and the judgment be reversed. The two associate
15 justices shall report, in writing, at the earliest possible time, to the presiding
16 justice, their decision and if two or more of the three Appellate Judges shall de-
17 cide that a writ shall issue and the judgment be reversed or the writ denied, the
18 presiding judge shall order the judgment of the Appellate Court entered ac-
19 cordingly. A denial of the writ shall operate as an affirmance of the judgment.
20 The written opinion in all such cases may be filed immediately or at the next suc-
21 ceeding term and all judgments of the Appellate Court in such cases shall be
22 final and conclusive.. In all cases where a decision discharging the prisoner is
23 rendered, the party feeling himself aggrieved may stay the effect of any dis-
24 charge for a period of five days by having an order of record entered by the
25 court or judge ordering such discharge upon the filing of an affidavit that such
26 stay is not for the purpose of delay and any person or officer making an affidavit
27 for such stay of the effect of such discharge shall, upon failure to prosecute a
28 writ of error immediately and in good faith be liable in damages to the party
29 entitled by said order to be discharged. When such affidavit is filed the court or
30 judge may remand the prisoner for not longer than five days or grant him his
31 liberty upon bail satisfactory to and to be approved by the court or judge until
32 the decision by the Appellate Court. Where an order remanding the prisoner to
33 custody is entered, the effect of such order of remandment may be stayed by the
34 prisoner until the decision of the Appellate Court in like manner and upon bail
35 furnished by the prisoner, satisfactory to and to be approved by the court or
36 judge: Provided, the granting or refusal of bail to the prisoner shall be in the
37 discretion of the court or judge.



- 1 Introduced by Mr. Tice, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Section 8 of "An Act to regulate the public service of Stallions and jacks in Illinois". Approved June 21, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assambly:* That Section 8 of Article I of "An Act to
3 regulate the public service of stallions and jacks in Illinois", approved June 21,
4 1917, in force July 1, 1917, as amended, be amended to read as follows:

Sec. 8. Each license issued by the Department of Agriculture shall expire
2 on December 31 of the year in which it is issued, but each license may be renewed
3 each year, provided the owner of said stallion or jack make application for re-
4 newal before March 1, following the date of expiration, and forward with such
5 application for renewal a fee of one (\$1.00) dollar for each renewal, and submit
6 satisfactory evidence establishing the identity of the animal for which
7 renewal of license is requested. Each renewal shall expire on December
8 31 of the year for which it is renewed. Failure to apply for license
9 renewal, as herein provided, before March 1, following the date of ex-

10 piration, shall forfeit the right of renewal and when such right has been
11 forfeited, the owner of such stallion shall procure a new license as provided
12 in Section 2.

13 Any stallion or jack six years old or over, having successfully passed ex-
14 amination for soundness as provided in this law for *two (2)* consecutive years,
15 shall be entitled to a permanent certificate.

16 The last examination must have been made by a veterinarian approved by
17 the *Department of Agriculture of the State of Illinois*. Said examination to
18 have been made within the year in which permanent certificate is granted: Pro-
19 vided, however, *that in case said animal shall become infected with any infec-*
20 *tious, contagious or communicable disease, the Department of Agriculture shall*
21 *have the right at any time to revoke and cancel said certificate.*



- 1 Introduced by Mr. Stanfield, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 70 of "An Act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 70 of "An Act in regard to the
3 administration of estates," approved April 1, 1872, in force July 1, 1872, as
4 amended, is amended to read as follows:

Sec. 70. DEMANDS CLASSIFIED—LIMITATIONS.] All demands against the es-
2 tate of any testator or intestate shall be divided into classes in manner fol-
3 lowing, to-wit:

4 First. Funeral expenses, necessary cost of administration, and *physicians*
5 *bill in the last illness of the deceased.*

6 Second. The widow's award, if there be a widow; or children, if there are
7 children and no widow.

8 Third. Expenses attending last illness, not including physician's bill, and
9 demands due common laborers or household servants of deceased for labor.

10 Fourth. Debts due the common school fund or township.

11 Fifth. *Where the deceased has received money in trust for any purpose,*
12 *his executor or administrator shall pay out of his estate the amount thus re-*
13 *ceived and not accounted for.*

14 Sixth. *All other debts and demands of whatever kind without regard to*
15 *quality or dignity, which shall be exhibited to the court within one year from*
16 *granting of letters as aforesaid, and all demands not exhibited within one*
17 *year as aforesaid, shall be forever barred unless the creditors shall find other*
18 *estate of the deceased not inventoried or accounted for by the executor or ad-*
19 *ministrator, in which case their claims shall be paid pro rata out of such sub-*
20 *sequently discovered estate, saving, however, to infants, persons of unsound*
21 *mind, persons without the United States, in the employment of the United*
22 *States, or of this State, the term of one year after their respective disabilities*
23 *are removed to exhibit their claims.*

1 Adopted May 11, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 558 by striking out lines four and five in

2 Section 70 and inserting in lieu thereof the words "First. Funeral expenses
3 and necessary cost of administration."

AMENDMENT NO. 2.

Amend printed House Bill No. 558 in line 8, Section 70, by striking out the

2 word "not."

AMENDMENT NO. 3.

Amend printed House Bill No. 558 by renumbering the lines.



- 1 Introduced by Mr. E. A. W. Johnson, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 38 of "An Act to revise the law in relation to mechanic's liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches", approved May 18, 1903, in force July 1, 1903, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 38 of "An Act to revise the law in relation to mechanic's liens. To whom, what for, and when lien is given; who is a contractor; area covered by and extent of lien; when the lien attaches," approved May 18, 1903, in force July 1, 1903, as amended, is amended to read as follows:

Sec. 38. When claims for lien are filed pursuant to the provisions of sections seven (7) and twenty-five (25), the clerk of the circuit court shall endorse thereon the date of filing, and make an abstract thereof in a book kept for that purpose and properly indexed, containing the name of the person filing the lien, the amount of the lien, the date of filing, the name of the person against whom the lien is filed, and a description of the property charged with the lien, for which the person filing the lien shall pay *five* dollars (\$5.00) to the clerk.



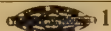
1 Adopted May 5, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 559, in line 7, Section 38, by inserting after the
2 word "lien" the words "in all counties having a population of 500,000 or over."

AMENDMENT NO. 2

Amend printed House Bill No. 559, by inserting after the word "clerk" in line 7,
2 Section 38, the words "and in all other counties the sum of one dollar (\$1.00)."



1 Adopted May 5, 1921.

AMENDMENT NO. 1

Amend printed House Bill No. 559, in line 7, Section 38, by inserting after the
2 word "lien" the words "in all counties having a population of 500,000 or over."

AMENDMENT NO. 2

Amend printed House Bill No. 559, by inserting after the word "clerk" in line 7,
2 Section 38, the words "and in all other counties the sum of one dollar (\$1.00)."



- 1 Introduced by Mr. E. A. W. Johnson, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 107 of "An Act concerning land titles," approved
and in force May 1, 1897, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 107 of "An Act concerning land
3 titles," approved and in force May 1, 1897, as amended, is amended to read as
4 follows:

Sec. 107. On the filing of any petition the petitioner shall pay to the clerk
2 of the court the sum of *ten* dollars (\$10.00), which shall be in full of all clerk's
3 fees and charges in such proceeding on behalf of the applicant. Any defend-
4 ant on entering his appearance shall pay to the clerk the sum of five dollars
5 (\$5.00), which shall be in full of all clerk's fees on behalf of such defendant.
6 When any number of defendants shall enter their appearance at the same time,
7 or before default, but one fee shall be charged.



- 1 Introduced by Mr. E. A. W. Johnson, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 1 of "An Act concerning fees and costs," approved
June 15, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of "An Act concerning fees
3 and costs," approved June 15, 1887, in force July 1, 1887, is amended to read
4 as follows:

Sec. 1. Whenever any party to any suit or proceeding in any court of
2 record in this State, desires to take an appeal or prosecute a writ of error
3 from any judgment, or decree of such court, rendered in any such suit or pro-
4 ceeding, to the Appellate or Supreme Court, and shall present to the clerk of
5 such court, where such judgment or decree was rendered, a fair copy of the
6 bill of exceptions, or certificate of evidence, or other papers not of record in
7 such cause, necessary to be transcribed, the clerk shall, in making up the tran-
8 script of the record for such appeal or writ of error, be allowed *five* cents for
9 each one hundred words, for comparing such copies with the originals, or with

10 the records thereof, and for correcting any errors in the same: *Provided*, that
11 in no case shall the fee for such services be less than *five* dollars (\$5.00); and
12 he shall insert such copy in the record and certify the same as a part thereof.
13 And in counties of the second and third class, the party furnishing such tran-
14 script, and who shall be successful on such appeal or writ of error, shall re-
15 cover as costs against the unsuccessful party not furnishing such transcript,
16 ten cents for each one hundred words thereof, and in counties of the first class,
17 fifteen cents for each one hundred words thereof, together with such other costs
18 as may be allowed by law: *Provided*, that the parties to such appeal or writ of
19 error, may, by agreements, have the original bill of exceptions, or certificate of
20 evidence, instead of a copy, incorporated in such transcript of the record, with-
21 out paying, or being liable to pay, any fees or costs therefor.

AMENDMENT TO

52d G. A.

HOUSE BILL NO. 561

1921



1 Adopted May 31, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 561 in line 9, Section 1, by inserting after
2 the word "words" the following: "in counties of more than 500,000 population
3 and in all other counties three cents for each one hundred words."



- 1 Introduced by Mr. E. A. W. Johnson, March 30, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 14 and 33 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 14 and 33 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended, are amended to read as follows:

Sec. 14. The fees of the clerk of the circuit court in counties of the first and second class shall be paid in advance, except as herein provided, and shall be as follows:

For each judgment by confession in vacation or in term time, \$5.00.

In each case of appeal from or petition for a writ of certiorari to a justice of the peace or any court of record and in each case of a change of venue from a court of record, \$5.00.

8 In each case of transcript of a judgment from a justice of the peace or a
9 court of record for the purpose of creating a lien, including one execution, \$5.00.

10 In each case for the exercise of eminent domain, \$20.00; and also \$10.00 for
11 each and every lot or tract of land or right or interest therein subject to be con-
12 demned, the damages in respect to which shall require separate assessments by
13 the jury.

14 In each other civil action at common law, \$10.00.

15 In each cause in chancery for divorce or separate maintenance, including in-
16 junctions, \$8.00.

16½ In each suit for partition, \$15.00.

17 In each other chancery case, \$10.00.

18 In each criminal case, but not in advance, \$5.00.

19 In each petition for a writ of habeas corpus, \$5.00.

20 If any cause shall be remanded to the circuit court from the supreme court
21 or appellate court, the clerk shall be entitled to the same fee before the filing of
22 the remanding order and the reinstating of the cause as if it were the commence-
23 of a new suit.

24 For issuing each execution after the first, \$1.00.

25 For issuing a procedendo, 25c.

26 For each record of proceedings and judgment or decree, whether on appeal,
27 error or change of venue, certified copies of orders and decrees, and all other
28 instruments, 20c for each one hundred words.

29 For comparing a bill of exceptions or a certificate of evidence, 5c for each
30 one hundred words, *minimum fee five dollars*.

31 For recording decrees, reports of a master, receivers, trustees, commission-
32 ers or a commissioner, or other like officers, 15 cents for each 100 words: *Pro-*
33 *vided, however,* there shall be no charge for recording the first 1,500 words of
34 any decree.

35 In all cases except criminal cases wherein the same are dismissed or settled
36 without trial at the term to which process is made returnable, one-half the fees
37 provided in foregoing shall be refunded.

38 For taking deposition and certifying and sealing the same, 15 cents for each
39 one hundred words.

40 For taking the acknowledgment of a deed or other instrument in writing
41 with seal, 25 cents.

42 Any person desiring to bring a suit or to file papers upon an appeal or cer-
43 tiorari or change of venue, as a poor person, shall first file a motion for leave to
44 do so, supported by an affidavit describing in detail all property, real and per-
45 sonal, which he owns. Such motion shall be heard by the court in term time or
46 by the judge thereof in vacation, or by a master in chancery if no judge be
47 present in the county, and the proposed plaintiff may be orally examined under
48 oath, and if such court, judge or master finds that said proposed plaintiff is a
49 poor person and unable to prosecute such suit and to pay the costs and expenses
50 thereof, an order shall be entered permitting him to begin and prosecute such
51 suit without paying in advance the fee herein specified therefor. Such order
52 shall be subject to review in term time on motion. If the defendant shall settle
53 or compromise such suit, or pay or deliver to plaintiff or his counsel any money
54 or valuable thing because of such suit, without causing such fee to be paid to
55 the clerk of the court, the court may enter an order that the defendant pay such
56 fee, and the same shall be collected from the defendant upon a fee bill to be
57 issued by the clerk to the sheriff therefor.

58 The fees of the clerk of the circuit court when he is also ex-officio recorder
59 of deeds of his county, shall be paid in advance, and shall be as follows:

60 For recording each deed or other instrument in writing, 15 cents for each
61 one hundred words.

62 Each certificate by such recorder of the recording of the deed or other writ-
63 ing and of the date of recording the same signed by such clerk and ex-officio re-
64 corder shall be sufficient evidence of the recording thereof, and for such certifi-
65 cate, including the indexing of the record, the fee shall be 25 cents.

66 For a certified copy of a record, the same fee as for recording.

67 “For entering each tract in entry book of conveyances, in counties of the
68 first class, 10 cents; and counties of the second class, 5 cents; and for entering
69 each tract of land or town lot made in any one deed above five, in the entry
70 book, 5 cents, in counties of the first and second class.”

71 For recording every city, town, or assessor's plat, for each lot or tract of
72 land included in said plat, 10 cents, when the number of lots does not exceed
73 twenty, and for each additional lot, 5 cents, and for the certificates attached
74 thereto the same fee as for recording other instruments.

75 For each attestation of a release or an assignment of an instrument on the
76 margin of the record thereof and for indexing the same in the book kept for that
77 purpose, 25 cents.

Sec. 33. At the time of the commencement of every suit at law or in equity
2 in any court of record in counties having a population exceeding seventy thou-
3 sand inhabitants, in this State, the party or parties commencing such suit, or
4 in case of an appeal from an inferior court, the party or parties, appellant or
5 appellants, or in case of an application for judgment upon any special assess-
6 ment or special tax levied by any incorporated town or city, such town or city
7 shall pay to the clerk of the court the sum of *twenty* dollars (\$20.00), to be
8 taxed as costs in the suit, which said sum shall be in full payment for all ser-
9 vices of such clerk on behalf of the plaintiff or plaintiffs, complainant or com-
10 plainants, petitioner or petitioners, appellant or appellants, in the progress of
11 such suit, from the commencement to the final termination thereof, except the
12 making of copies of papers or orders, a complete record, or a record for a higher
13 court: *Provided, however,* that in case of a proceeding for the exercise of the
14 right of eminent domain the petitioner or petitioners shall pay to the clerk of
15 the court in which such petition is filed the sum of twenty dollars (\$20.00) and
16 except in case where municipal corporations are petitioners an additional sum
17 of ten dollars (\$10.00) for each and every lot or tract of land or right of interest
18 therein, the damages in respect to which shall require a separate assessment
19 by the jury, which sum shall be in full payment for all services to be performed

20 by such clerk in the progress of such proceeding from its commencement to its
21 final determination. *Provided, further, however,* that in all cases of appeal from
22 a justice of the peace, where the appellant shall file in the office of the justice
23 of the peace, in such counties, his bond required by section sixty-two (62) of
24 an Act entitled, "An Act to provide for the election and qualification of jus-
25 tices of the peace and constables and to provide for the jurisdiction and prac-
26 tice of justices of the peace in civil cases and fix the duties of constables, and
27 to repeal certain Acts therein named," approved April 1st, 1872; he shall also,
28 at the same time, pay the ten dollars (\$10.00) mentioned in this section, to the
29 justice for the use of the clerk of the court to which the appeal is taken, and
30 upon failure to do so, it shall be the duty of the justice not to allow the appeal.
31 And in case any application for judgment for city, state, town or other general
32 taxes there shall be paid to the clerk by the corporation so applying for judg-
33 ment, the sum of three cents for each and every tract of land upon which
34 judgment shall be rendered by the court, which said sum shall be in full pay-
35 ment for all services to be performed by such clerk in the progress of such suit
36 upon such application from its commencement to the final determination
37 thereof. And the defendant or defendants, respondent or respondents, appellee
38 or appellees, before he, she or they shall be entitled to enter his, her or their
39 appearance or file any pleas, answer or demurrer in any suit at law or equity
40 shall pay to the clerk of the court the sum of *five* dollars (\$5.00) to be taxed as
1 costs in the suit, which in like manner, shall be in full payment of and for
2 all services rendered, or to be rendered by the clerk, for or on behalf of the
3 defendant or defendants, respondent or respondents, appellee or appellees, in or
4 during the progress of such suit to the final termination thereof, except for the
5 making of copies of papers or records, a complete record, or a record for a
6 higher court. Clerks of courts of record in this State, in counties of the third
class, shall be allowed further fees as follows: For taking and certifying the
acknowledgment of a deed or other writing, twenty-five cents; for swearing any
person to an affidavit not to be used in a case in the court of which he is clerk,

50 with certificate and seal, twenty-five cents; for each certificate and seal, not in
51 a case in the court whereof he is clerk, twenty-five cents; for making and cer-
52 tifying a copy of any paper or record in any case or proceeding, and for taking
53 depositions, for every one hundred words, ten cents, *minimum fee two dollars*
54 *(\$2.00)*; for filing declaration of intention to become a citizen, administering
55 oath to applicant and certifying declaration under seal, fifty cents; for filing
56 papers on application for naturalization, for administering oath, to party and
57 witnesses for making entry of record of naturalization, and for making and cer-
58 tifying copy of same under seal of court, fifty cents; for filing each deed of volun-
59 tary assignment, ten dollars (\$10.00); for recording the same, ten cents for each
60 one hundred words; *for issuing executions, three dollars (\$3.00) for each execu-*
61 *tion.* Exceptions filed to claims presented to an assignee of a debtor who has
62 made a voluntary assignment for the benefit of creditors, shall be considered and
63 treated for the purpose of taxing costs therein, as actions at law, in which the
64 party or parties filing such exceptions shall be considered as party or parties
65 plaintiff, and the claimant or claimants as party or parties defendant and such
66 parties, respectively, shall pay to the clerk of the court the same fees as pro-
67 vided by this section to be paid in other actions at law.



- 1 Introduced by Committee on Agriculture, March 31, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to amend the title of "An Act to regulate cold storage of certain articles of food," filed June 28, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The title of "An Act to regulate cold storage of certain articles of food," filed June 28, 1917, in force July 1, 1917, is amended to read as follows:

5 *"An Act to regulate the cold storage and sale of certain articles of food."*



Introduced by Committee on Education, March 31, 1921.

Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to amend sections 8 and 10 of "An Act for the establishment and maintenance of part-time or continuation schools and classes, providing for the control and management thereof and compulsory attendance of pupils, prescribing the course of instruction therein, providing State aid therefor, and providing penalties for violation thereof," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 8 and 10 of "An Act for the establishment and maintenance of part-time or continuation schools and classes, providing for the control and management thereof and compulsory attendance of pupils, prescribing the courses of instruction therein, providing State aid therefor, and providing penalties for violations thereof," approved June 28, 1919, in force July 1, 1919, are amended to read as follows:

Sec. 8. Any person, firm or corporation employing a minor between the ages of fourteen and *eighteen* years required under the provisions of this Act to attend a part-time or continuation school or class shall permit such minor

4 to attend such school or class whenever such school or class shall have been
5 established in the city or school district where the minor resides or may be
6 employed; and any such person, firm or corporation wilfully violating this pro-
6 vision shall for each violation be subject to a fine of not less than twenty-five
7 dollars and not more than two hundred dollars for each offense, at the discre-
8 tion of the court. Any person, firm or corporation, employing any such minor
9 who fails to attend part-time or continuation school or class as required herein,
10 shall immediately discontinue the services of such minor upon receiving from
11 the school authorities written notice of the failure of such minor to attend such
12 part-time or continuation school or class, and any person, firm or corporation
13 wilfully violating this provision shall be subject to a fine of fifty dollars for each
14 offense.

Sec. 10. Nothing in this Act contained shall be held, deemed or construed
2 as having any application to children or minors who attend private or parochial
3 *day* schools or to children or minors who are receiving *equivalent* educational
4 training or instruction in the homes of their parents or guardians either by
5 said parents or guardians or by private tutors provided by said parents or
6 guardians.

1 Adopted May 17, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 564, in line 1 of the title, after the word
2 "sections" by inserting the figures "1" and a comma, and "4" and a comma.

AMENDMENT NO. 2.

Amend printed House Bill No. 564, on page 1, in section 1, line 2, after the
2 word "sections" by inserting the figures "1" and a comma, and "4" and a
3 comma.

AMENDMENT NO. 3.

Amend printed House Bill No. 564, by inserting Sections "1" and "4" of
2 said Act amended to read as follows:

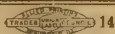
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That part-time or continuation school
3 or classes may be established and maintained as hereinafter provided. The Board
4 of Education or School Directors of each city and of each school District in
5 which there are twenty or more minors above the age of fourteen years and be-
6 low the age of sixteen years who are not in regular attendance upon all-day
7 school may, at the discretion of the Board of Education or School Directors of
8 each city and each district, beginning in September, 1921, establish and main-
9 tain part-time or continuation school or classes in which minors shall receive
10 instruction, and such schools or classes may be established and maintained in

11 each city or school district on and after September 1, 1923, in which there are
 12 twenty or more minors above the age of fourteen years and below the age of
 13 seventeen years who are not regular attendants upon all-day schools and such
 14 schools or classes on and after September 1, 1925, may at the discretion of the
 15 Board of Education or School Directors of each city and school district, be
 16 established and maintained in each city or school district in which there are
 17 twenty or more minors above the age of fourteen years and below the age of
 18 eighteen years who are not in regular attendance upon all-day schools. Such
 19 Schools or classes shall be established under the control and management of
 20 the Board of Education or School Directors, as the case may be, and shall be a
 21 part of the public school system of the city or district which establishes and
 22 maintains them.

23 Such part-time or continuation schools or classes when established shall be
 24 maintained each year during the full period of time when the public schools of
 25 the city or district are in session. The sessions of such part-time or continua-
 26 tion schools or classes shall be held on the regular business days, except that
 27 they shall be held on Saturday afternoon."

Sec. 4. Every minor between the ages of fourteen and eighteen years who
 2 is regularly and lawfully employed in some occupation or service, unless such
 3 minor has completed a four-year secondary course of instruction, shall attend
 4 part-time or continuation school or class, when and where such school or class
 5 has been established and is maintained for the instruction of minors of such
 6 minor age, in the city or district in which such minor resides or may be em-
 7 ployed after such school or class has been established therein. Such attendance
 8 shall be for not less than eight hours per week for at least thirty-six weeks
 9 each year, *or three hundred hours if such attendance is confined to a period of*
 10 *three successive months.* The attendance upon a part-time or continuation
 11 school or class shall be between the hours of eight o'clock in the forenoon and
 12 five o'clock in the afternoon on regular business days except Saturday after-

13 noons. The time spent in a part-time or continuation school or class by a minor
14 shall be reckoned as a part of the time or number of hours said minor is per-
15 mitted by law to work. A minor employed, or kept at home, in the service or
16 assistance of any parent, guardian or person having the control or custody of
17 such minor shall be considered as a minor lawfully and regularly employed in
18 some occupation or service.



1 Introduced by Mr. Williston, March 31, 1921.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to regulate the practice of Mechanotherapy and to prescribe the educational qualifications necessary for the practice thereof in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* DESIGNATION OF ACT.] This Act shall be
3 known as "The Mechanotherapy Practice Act of Illinois."

Sec. 2. DEFINITION OF THE TERM MECANOTHERAPY.] The words "Mecano-
2 therapy" as used in this Act, shall mean the relieving or treating of human ail-
3 ments by mechanical means, especially by massage and gymnastic exercises, and
4 shall not be construed to include or be analogous to osteopathy, chiropractic,
5 naprapathy and neuropathy.

Sec. 3. LICENSES.] No person shall practice Mecanotherapy without a
2 license so to do issued by the Department of Registration and Education.

Sec. 4. EXAMINATION OF APPLICANTS.] No person shall, except as otherwise
2 provided in this Act hereafter, be licensed to practice Mechanotherapy

3 he shall pass a satisfactory examination conducted by the Department of Regis-
 4 tration and Education, pursuant to an Act entitled, "An Act in relation of the
 5 Civil Administration of the State Government and to repeal certain Acts
 6 therein named," approved March 7, 1917, in force July 1, 1917.

Sec. 5. FORM OF APPLICATION FOR EXAMINATION—EVIDENCE—CHARACTER OF
 2 PRACTICE—FEES.] Sec. 5. Each applicant for examination shall:

- 3 1. Make application for examination on blank forms prepared and fur-
 4 nished by the Department of Registration and Education;
- 5 2. Submit evidence, verified by oath and satisfactory to the Department
 6 of Registration and Education that:
 - 7 a He is twenty-one years of age or over;
 - 8 b That he is of good moral character;
 - 9 c He has the professional and preliminary education required by this Act.
- 10 3. He shall designate in his application that he desired to practice Me-
 11 chanotherapy in accordance with the tenets of the professional school, college or
 12 institution of which he is a graduate.
- 13 4. Pay in advance to the Department of Registration and Education exam-
 14 ination fee of \$10.

Sec. 6. MINIMUM STANDARDS OF PROFESSIONAL EDUCATION.] The minimum
 2 standard of professional education for the practice of Mechanotherapy are fixed
 3 as follows:

- 4 1. For an applicant who is a graduate of a college, school or institution
 5 teaching Mechanotherapy prior to July 1, 1922, and who has not practiced Me-
 chanotherapy for at least a period of five years prior to the adoption of this
 he is a graduate of a college, school or institution teaching Mechano-
 to be reputable and in good standing at the time of his gradua-
 course of study in such college, school or institution in
 ate the practice of Mechanotherapy and the

11 rules of the Department of Registration and Education established and in force
12 at the time of graduation.

13 2. For an applicant who is a graduate of a college, school or institution
14 teaching Mechanotherapy subsequent to July 21, 1922, that he is a graduate of
15 a school, college or institution teaching Mechanotherapy, deemed to be reput-
16 able and in good standing and which requires of its students as a prerequisite to
17 graduation at least a two years' course of instruction, the time elapsing be-
18 tween the beginning of the first year and the ending of the last or second year in
19 such college, school or institution, to be not less than twenty months and that
20 such course of study shall include the following subjects: Anatomy, Physi-
21 ology, Pathology, Chemistry, Histology, Sanitation, Hygiene, Medical Juris-
22 prudence and Practice and Mecanotherapy.

Sec. 7. MINIMUM STANDARDS OF PRELIMINARY EDUCATION.] The minimum
2 standards of preliminary education deemed requisite to admission to a collage,
3 school or institution teaching Mehanotherapy deemed to be reputable and in
4 good standing are fixed as follows:

5 1. That the applicant for admission to such college, school or institution
6 has satisfactorily completed an approved course of study in a high school or
7 other equivalent school requiring a course of studies requiring an attendance
8 through four school years and which is approved by the Department of Regis-
9 tration and Education.

10 2. That the applicant present a certificate of having passed a satisfactory
11 written examination before the Superintendent of Public Instruction of this
12 State or like State officer of another state or country in the studies embraced in
13 the curriculum of a high school approved by the Department of Registration
14 and education.

Sec. 8. PERSONS ENTITLED TO LICENSE WITHOUT EXAMINATIONS.] That any
2 person 21 years of age or over, of good moral character who has been engaged
3 in the practice of Mechanotherapy for a period of at least five years previous to

4 the adoption of this Act, shall upon application reciting such facts, be entitled
 5 to and shall receive a license from the Department of Registration and Educa-
 6 tion: Provided, that such person who has practiced Mechanotherapy for at
 7 least five years previous to the adoption of this Act, shall within six months
 8 from the date of the passage of this Act cause his or her name and residence
 9 or place of business to be registered with the Department of Registration and
 10 Education, which said Department shall keep a book for that purpose; and
 11 every person who shall so register with the said Department of Registration
 12 and Education, as aforesaid, may continue to practice Mechanotherapy, without
 13 incurring any of the liabilities or penalties provided in this Act.

Sec. 9. A PRACTITIONER IN MECHANOTHERAPY PROHIBITED FROM MAKING DIAG-
 2 NOSES OR PRESCRIBING DRUGS.] No person who has received a license to practice
 3 Mechanotherapy in this State shall make diagnoses of human ailments or pre-
 3 scribe or administer drugs, except under the direction of a duly licensed
 4 physician.

Sec. 10. LICENSE WITHOUT EXAMINATION, REQUIREMENTS.] The Department
 2 of Registration and Education may, in its discretion, issue a license without
 3 examination to a practitioner in Mechanotherapy, who has been licensed in any
 4 country, state or territory or province upon the following conditions:

5 1. That the applicant is of good moral character.

6 That if the applicant desires to practice Mechanotherapy:

7 2. That he is a graduate of a school, college or institution teaching Me-
 8 chanotherapy which is in good standing.

9 3. That the requirements of registration in a country, state, territory or
 10 province in which he is licensed are deemed by the Department of Registration
 11 and Education to have been practically equivalent to the requirements of regis-
 12 tration in force in this State at the date of such license.

13 4. That the territory, state or province in which the applicant was licensed,
 14 shall accord a like privilege to those who hold licenses to practice Mechano-
 15 therapy under the laws of this State.

16 5. The Department of Registration and Education may also in its discre-
17 tion, issue a license, without examination to a practitioner of Mechano-therapy,
18 who is a graduate of a college, school or institution teaching Mechano-therapy
19 in good standing and who has passed an examination to practice Mechano-
20 therapy in the United States Army, in the United States Navy or in the United
21 States Public Health Service.

22 6. Applications from non-resident practitioners shall be filed with the De-
23 partment of Registration and Education on blank forms prepared and fur-
24 nished by the department.

 Sec. 11. FEE FOR LICENSES.] Each person entitled to a license under this
2 Act shall pay to the Department of Registration and Education the sum of five
3 dollars.

 Sec. 12. LICENSES TO BE RECORDED—DUTY OF THE COUNTY CLERK.] Every
2 person holding a license under the provisions of this Act to practice Mechano-
3 therapy shall have it recorded in the office of the county clerk of the county in
4 which he resides or practices, and the date of the recording shall be endorsed
5 thereon. Until such license is recorded the holder thereof shall not exercise
6 any of the rights or privileges conferred therein. Any person practicing in an-
7 other county shall record the license in a like manner in the county in which
8 he practices. The county clerk shall keep in a book provided for that purpose
9 a complete list of the licenses to practice Mechano-therapy, recorded by him,
10 with the date of the issue of the license. The register of the county clerk shall
11 be open to public inspection during business hours.

 Sec. 13. REVOCATION OF LICENSES—CAUSES—EXCEPTION—HEARING.] The De-
2 partment of Registration and Education may revoke the license of any person
3 holding a license issued in pursuance of and under the provisions of this Act, in
4 any of the following cases:

5 1. Any person found guilty of making diagnosis of a human ailment or
6 of prescribing or administering drugs, except and under the direction of a
7 duly licensed physician.

8 2. Any person who has been convicted of felony.

9 3. A person who has by false or fraudulent representation obtained or
10 sought to obtain practice in his profession.

11 4. A person who is an habitual drunkard or habitually addicted to the
12 use of morphine, cocaine or other drugs having a similar effect.

13 5. A person who has by fraudulent representation of his profession, ob-
14 tained, or sought to obtain, money or anything of value.

15 6. A person who has been committed by the judgment of a court of com-
16 petent jurisdiction to a hospital for the insane.

17 7. A person who is guilty of any wilful violation of any of the rules or
18 regulations of the Department of Registration or Education, governing ex-
19 aminations, or who is guilty of any fraud or deceit by which he was admitted
20 to practice.

21 No license shall be revoked or refused until the holder thereof shall have
22 been given a hearing before the Department of Registration and Education.

Sec. 14. POWERS OF THE DEPARTMENT OF REGISTRATION AND EDUCATION.] The
2 Department of Registration and Education shall have power to make rules and
3 regulations to establish a uniform and reasonable standard of the educational
4 requirements, to be observed by the schools, colleges or institutions teaching
5 Mechanotherapy, and to determine the reputability and good standing of such
6 schools, colleges or institutions by reference to their compliance with such
7 rules; and to require satisfactory proof that such colleges, schools or institu-
8 tions which are deemed to be reputable and in good standing, enforce the
9 standard of preliminary education deemed by this Act requisite to admission
10 to such schools, colleges or institutions.

Sec. 15. WHAT CONSTITUTES MISDEMEANOR—PENALTY.] Any person who, not

2 being then licensed to practice Mechanotherapy, shall practice Mechanotherapy,
3 or, who, being licensed to practice Mechanotherapy, shall treat human ailments
4 with drugs or medicines, or shall make diagnosis; or who shall buy, sell or
5 fraudulently obtain any professional diploma, license or registration, or who
6 shall fraudulently aid or abet such fraudulent buying, selling or obtaining; or
7 who shall practice Mechanotherapy under cover of any license fraudulently or
8 illegally obtained, shall be punished by a fine or not less than \$25.00 nor more
9 than \$200.00 or confined in the county jail not more than one year, or punished
10 by both such fine and imprisonment, in the discretion of the court.

Sec. 16. FORGERY—PENALTY.] Any person who shall wilfully and knowingly

2 make any false oath or affidavit required by the provisions of this Act, shall be
3 guilty of perjury and punished accordingly.

Sec. 17. REQUIREMENTS AS TO PREFIX OF SUFFIX, INDICATING SCHOOL—MISDE-

2 MEANOR—PENALTY.] Any person who has received a license to practice Me-
3 chanotherapy shall be styled and known as a registered Mechano-Therapist
4 and shall be entitled to append the letters "R. M. T." to his or her name, and
5 any person other than one licensed to practice Mechanotherapy, calling or ad-
6 vertising himself as a Mechano-Therapist, shall be deemed guilty of a misde-
7 meanor and upon conviction thereof shall be punished by a fine of not less than
8 \$25.00 nor more than \$100.00 or by imprisonment in the county jail not more
9 than six months or by both fine and imprisonment, in the discretion of the
10 court.



- 1 Introduced by Mr. Thon, March 31, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the prevention of crime by the segregation of the mentally defective
with criminal propensities.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The term "mental defective," as used in
3 this Act shall be construed to mean:

4 A person who has:

5 (a) a defect of intelligenc; or

6 (b) a defect of affectivity or emotion; or

7 (c) a defect of will;

8 of such a degree that he has criminal propensities and while at large is a menace
9 to the person or property of others.

Sec. 2. Whenever any person shall plead guilty or be found guilty by the
2 verdict of a jury or by the finding of a court, in any court of record of a crim-
3 inal offense, such as felony or misdemeanor, and nothing remains to be done
4 by the court except to pronounce sentence, it shall be the duty of the State's

5 Attorney to ascertain whether such person has been previously convicted of
6 felony or misdemeanor in this State, or of felony in any other state. The court
7 may, in its discretion, upon the request of the State's Attorney, or its own
8 motion, defer the pronouncing of sentence for a period not exceeding twenty
9 days to permit such investigation to be made. If after such investigation it
10 appears to the court that such person has previously been convicted of felony
11 or misdemeanor in this State, or of felony in any other state, and the court be-
12 lieves that such person may be a mental defective, it shall be its duty by order
13 on the docket of the court, to cause an investigation by such facilities as it law-
14 fully may use, to be made of such person and his personal history to ascertain
15 whether there is probable cause for believing that he is a mental defective. In
16 every case of a second conviction where the court does not cause such an inves-
17 tigation to be made and the State's Attorney believes the person convicted to
18 be a mental defective, he shall conduct such an investigation himself. The
19 court, where such an enquiry is being made either on its own behalf or by the
20 State's Attorney shall further defer the pronouncing of sentence for a period of
21 another 10 days, or less in its discretion. If as the result of any such investi-
22 gation either by the court or himself, the State's Attorney is informed or finds
23 that there is probable cause for believing that the accused person is a mental
24 defective and that he is, while at large ,a danger to the person or property of
25 others, it shall be his duty to file a verified petition in said court stating such
26 belief and the facts upon which it is based, together with the names and ad-
27 dresses of the witnesses by whom such facts are sought to be established and re-
28 quest the court to order a mental examination to be made of such convicted per-
29 son.

Sec. 3. If the judge to whom such petition is made is of the opinion from
2 the facts set up in said petition or from his own observation and knowledge that
3 the accused person might be a mental defective, and that the interests of the
4 community and the welfare of such person demands that the mental status of
5 such convicted person should be definitely ascertained, he shall order that such

6 person be mentally examined by a competent alienist of known integrity, skilled
7 in the diagnosing of mental disease and defectiveness, and who shall have had
8 at least five years' experience as a practicing physician.

Sec. 4. Such examination shall be conducted privately. The alienist shall
2 certify to the court his findings in a signed report, which shall be filed with the
3 clerk of the court, and the court may in addition hear testimony in open court.
4 If the court finds from the report of the alienist and any other evidence that the
5 accused person is not a mental defective the court shall impose sentence under
6 the conviction according to law. There shall be no second examination ordered
7 unless within three years there is another conviction of the same person.

Sec. 5. If the report is to the effect that the accused person is a mental de-
2 fective, and the court from such report and the evidence heard is of the opinion
3 that there is ground for believing that he is a mental defective, then the court
4 shall order that a copy of the report shall be given to the State's Attorney. It
5 shall be the duty of the State's Attorney upon receiving a copy of the report
6 to cause to be filed in the court a commitment petition as hereinafter provided.

Sec. 6. The term "commitment petition" shall be construed to mean a pe-
2 tition seeking the commitment and segregation of a mental defective for the pur-
3 pose of preventing him from committing a criminal offense and with due regard
4 for his personal welfare. The petition shall be made in the name of the People
5 of the State of Illinois. The State's Attorney making such petition shall rep-
6 resent the People of the State and also the alleged mental defective, if he be
7 without counsel, and it shall be his duty to present to the court all facts bearing
8 upon the case whether favorable or unfavorable to the allegations of the peti-
9 tion.

Sec. 7. The petition shall state that the convicted person is a mental de-
2 fective and shall recite the report of the alienist and set up facts tending to show
3 that the convicted person is by reason of his metal defect a danger to the person

4 or property of other persons while at large. There shall be endorsed on the
5 petition the names and addresses of all persons by whom the allegations of the
6 petition are expected to be proved.

Sec. 8. A copy of the petition shall be served upon the convicted person,
2 and upon his counsel if he is known to have one, and a copy shall be sent by reg-
3 istered special delivery mail to the last known address of his nearest living rel-
4 ative, if ascertainable, and proof of such service shall forthwith be filed with the
5 clerk of the court.

Sec. 9. Upon the filing of proof of service as above provided the court
2 shall appoint a day for a hearing in open court and shall direct the proper officer
3 to present the convicted person in court on that day. The court shall procure
4 the attendance in court on the day of hearing of two competent alienists of
5 known integrity, trained in abnormal psychology. At or before the final hear-
6 ing they shall examine into the mental condition of the alleged defective and
7 shall file with the court in writing their opinion whether the convicted person
8 is a mental defective dangerous to the person or property of other persons
9 while at large and findings concerning his mental status. Such medical report
10 shall be admissible in evidence and when admitted the court shall call as a wit-
11 ness for the court, at least one of the alienists signing such report, to be thor-
12 oughly examined as if on cross examination by counsel for the accused, the
13 court or the State's Attorney, and on request of the accused the other alienist
14 shall be called for examination. The inquiry shall be wide in scope and shall be
15 permitted to extend to the heredity of the convicted person, his conduct and spe-
16 cific acts and all other evidence as may, in the opinion of the judge, be neces-
17 sary to determine fully the metnal status of such person. The accused person
18 shall be given full opportunity to present a defense unhampered by technical
19 rules of evidence.

Sec. 10. Upon the conclusion of the hearing the court shall make findings
2 of fact in writing and file the same with the clerk of the court, which shall
3 contain:

4 a. A statement as to whether the convicted person is a mental defective.

5 b. If the convicted person is found to be a mental defective then a state-
6 ment as to the kind of mental disease or deficiency with which such person is
7 affected, if known, and

8 c. A recommendation as to the best way for caring for such person with due
9 regard to the person and property of others and his own personal welfare.

10 All the testimony on the hearing shall be taken in shorthand and transcribed
11 at the expense of the county. The transcript of the evidence shall be signed by
12 the reporter and verified by him under oath as a true and correct report of the
13 proceedings and shall be filed in the court as a permanent record by the State's
14 Attorney and a copy shall, if requested, be furnished to the convicted person or
15 his counsel.

Sec. 11. The alienists shall also answer such interrogatories as may be
2 contained in a form to be prescribed by the State Department of Public Welfare
3 and shall certify that the answers are correct to the best of their knowledge
4 and belief. Such answers may be considered by the court in arriving at its find-
5 ing.

Sec. 12. If the convicted person is found to be a mental defective a copy of
2 the report of the commission and of the court's findings, shall be served upon
3 him, his counsel or nearest relative, and one day (or a longer time in the discre-
4 tion of the court, not exceeding five days) shall be allowed for the making of
5 oral or written exceptions to the report.

Sec. 13. If the court finds from the evidence and the report of two alienists,
2 that the convicted person is a mental defective, then instead of pronouncing sen-
3 tence, judgment shall be entered in accordance with such finding, and an order
4 made that the mental defective be forthwith committed to a state farm colony

5 for the care and supervision of mental defectives or such other institution as
6 may be provided by law, there to remain until he becomes sane and of normal
7 mind and ceases to be of criminal propensity and a danger to the person and
8 and property of others. The time during which any such mental defective is con-
9 fined under this Act shall not be included in computing any limitation period
10 within which such person must be prosecuted for the commission of a criminal
11 offense.

Sec. 14. If the judgment of the court is that the convicted person is not a
2 mental defective sentence shall be imposed under the conviction the same as if
3 no commitment petition had been filed or mental examination made.

Sec. 15. Each court shall keep a separate docket of proceedings under this
2 Act, upon which shall be made such entries as will, together with the papers filed,
3 preserve a complete record of each case. The original complaint, certificate or
4 petition for examination, petition for commitment, if one is filed, report of the
5 commission, testimony and finding of the court shall be part of the said files and
6 a copy shall in each case be furnished to the State Department of Public Wel-
7 fare, and to the State's Attorney of the county wherein such hearing is held, but
8 the preliminary examination by the alienist shall not be part of such files.

Sec. 16. All mental defectives admitted to any State institution under the
2 provisions of this Act shall be maintained and treated, while in the institu-
3 tion, at the expense of the State, but the costs of clothing, transportation and
4 other incidental expenses not constituting any part of their maintenance or
5 treatment, shall be defrayed at the expense of the county from which they were
6 committed.

Sec. 17. Upon the entry of an order directing that a mental defective is
2 to be committed under this Act, the clerk of the court shall send a copy of such
3 order to the superintendent of the institution to which such mental defective is
4 ordered to be sent and such superintendent shall receive such mental defective
5 as a charge in such institution.

Sec. 18. The order of the court shall provide that such person shall remain in such institution until he ceases to be a mental defective and while at large to constitute a danger to the person and property of others.

Sec. 19. For the conveyance of any mental defective to a public institution, admission thereto having been ordered by a court as provided herein, the clerk shall issue a warrant in duplicate directed to the sheriff of the county in which such hearing is had, commanding him to take such mental defective and deliver such person to the superintendent of such institution. Upon receiving such person the superintendent of the institution shall endorse upon the warrant his receipt, naming the person or persons from whom such mental defective is received, and one copy of the warrant so endorsed shall be returned to the clerk of the court to be filed with the other papers in the case and the other shall be left with the superintendent, and the person delivering the mental defective shall endorse thereon that he has delivered such person, and such duplicate warrant shall be *prima facie* evidence of the facts set forth thereon in said endorsement.

Sec. 20. Whenever in the opinion of the superintendent of such institution or of a competent and qualified alienist, attached to such institution such person has ceased to be a mental defective and can be allowed his liberty without being dangerous to the person and property of others, it shall thereupon be the duty of the superintendent of such institution to certify such fact to the Department of Public Welfare and send a copy of such certificate to the State's attorney of the county from which such mental defective was committed, and also send a copy to the nearest living relative of such person if the address of the same can be ascertained upon reasonable diligence, and send a copy to the attorney who represented him, if any such there be, under the original proceeding, and give a copy to the mental defective himself. It shall also be the duty of such superintendent to file a petition in the court from which such person was committed, setting up the name of such person, the date on which he was

14 committed to the institution, the original finding concerning his mental status,
 15 a brief history of his conduct while in such institution, the name of the alienist
 16 that has examined him, his present diagnosis, and ask leave of the court to
 17 enter an order for such person's discharge. Such petition shall be by the su-
 18 perintendent as the next friend of such mental defective. If not filed by him
 19 it may be filed on his behalf at any time by any reputable citizen of the State,
 20 and in such petition the People of the State of Illinois shall be named as de-
 21 fendant and shall be required to show cause why such alleged defective should
 22 not be released. Summons shall be issued upon such petition, directed to the
 23 State's attorney of the county from which such commitment was originally
 24 made and against the superintendent of the institution where such person is
 25 confined, and require such superintendent to produce the person in court on a
 26 date named, to be not less than ten days after the filing of such petition. The
 27 State's attorney shall have the right to have such person examined by any
 28 qualified alienist at any time before the hearing.

Sec. 21. The court shall have a commission of two qualified alienists sit
 2 with him during the hearing and may also cause such person to be mentally
 3 examined prior to the hearing.

Sec. 22. At the hearing there shall be adduced on behalf of the alleged men-
 2 tal defective such evidence as the superintendent of the institution or any
 3 other person may desire to present and if any evidence favorable to him is in
 4 the possession of the State's attorney it must be presented, and the State's
 5 attorney shall have the right to appear and cross examine the witnesses and
 6 to offer evidence on behalf of the State, if he so desires.

Sec. 23. After the evidence is heard, the commission sitting with the
 2 court shall render a report to him upon the mental condition of the alleged de-
 3 fective with reference to the propriety of directing his release.

Sec. 24. If the court believes from the evidence submitted before it and
2 from the report of the commission and a consideration of all the circum-
3 stances, that the person can be released without being a danger to the person
4 and property of others, he shall forthwith enter an order to discharge such
5 person from the institution to which he may have been committed.

Sec. 25. If a person discharged from the farm colony or other institution
2 to which such person may have been committed under this Act, has been in
3 such colony or institution a shorter time than is provided by law for the maxi-
4 mum period of confinement in a penal institution that such person could be
5 sentenced to under the conviction, then the court in its discretion may impose
6 sentence for the balance of such period under the conviction. In all such cases
7 the court shall allow for the time spent in the farm colony or institution, so
8 that confinement under both commitments shall not exceed the maximum period
9 of confinement provided by law for the offense of which the person stands
10 convicted.

Sec. 26. Nothing contained in this Act shall in any way abridge the right
2 of the writ of *habeas corpus* on behalf of such mental defective by himself or his
3 nearest friend. If any person is released from the farm colony or institution
4 on a writ of *habeas corpus* because of normal mentality, such person shall be
5 seized by the sheriff, constable, bailiff or other person charged by law with
6 the duty of making arrests, in the county where such person is released or
7 may be found, and brought before the court from which he was committed, for
8 sentence under the conviction. Such sentence may be imposed by such court
9 as provided in Section 25 of this Act.

Sec. 27. Every person committed to any institution under this Act shall
2 have every reasonable opportunity and facility for communication with his
3 friends and family and be permitted to write and receive letters, and letters
4 written by or to any such person shall be forwarded.

Sec. 28. In the event of the death of any person committed under this Act while in a public institution, a coroner's inquest shall be held as provided by law in other cases. Notice of the death of such person and the cause thereof shall in all cases be sent to the judge of the court who committed such person or his successor, giving the facts of the death with the time, place and alleged cause, and to such person's nearest living relative if ascertainable.

Sec. 29. The costs of proceedings against mental defectives under this Act shall be defrayed from the county treasury of the county in which such proceedings are had. The fees paid for attendance of witnesses and execution of legal process shall be the same as are allowed by law in similar cases. For the services of a commissioner the sum of \$20 per day and the actual and necessary traveling expenses shall be allowed to each person so employed.

Sec. 30. Whenever a child under 17 years of age is brought before a juvenile court as a delinquent child only and it appears to the court that such child is a mental defective as defined in this Act, such court shall have the power and it shall be its duty to institute proceedings against such child in the same manner and to the same extent as is provided for in other cases under this Act, and it shall be its duty if proceedings so justify to commit such child to a farm colony or other suitable institution as may be provided by law.

Sec. 31. Whenever it shall appear to the State Superintendent of Pardons and Paroles that any inmate of any penitentiary of this State or any person applying for parole or any person released on parole has been convicted twice of a felony or misdemeanor and is a mental defective within the meaning of this Act, it shall be his duty to file a petition in the court from which such person was committed in the manner as is provided for by this Act in other cases, and ask for an examination and commitment of such person to an appropriate institution. It shall be the duty of the court in which such petition is filed to issue a warrant addressed to the person in whose custody such person is or to the sheriff of the county in which such person is found to bring such person

11 before the court for examination, and when such person is brought before the
12 court to proceed to inquire into the condition of such person's mind, as is
13 provided for by this Act in other cases. If the court finds that such person
14 is of normal mentality, the petition shall be dismissed and the person remanded
15 to the Superintendent of Pardons and Paroles, to be dealt with as if such peti-
16 tion had never been filed. If the court finds that such person is a mental de-
17 fective within the meaning of this Act, it shall then be its duty and it shall
18 have the power to make such order as will be for the best interests of such
19 defective and the community as it has power to do in other cases under this
20 Act.

Sec. 32. If the mental condition of a person committed under this Act
2 becomes such that such person could be better cared for in an institution for
3 lunatics, the superintendent of the institution where such person is confined or
4 the Director of Public Welfare, as the case may be, may cause such steps to
5 be taken as may be necessary for his removal to an institution for lunatics
6 under "An Act to revise the law in relation to the commitment and detention
7 of lunatics and to provide for the appointment and commitment of conserva-
8 tors and to repeal certain Acts therein named," approved June 21, 1893, in
9 force July 1, 1893.

Sec. 33. No person shall be discharged from an institution to which he has
2 been committed under this Act without suitable clothing and a sum of money
3 not exceeding \$50 to defray his expenses home, which shall be charged to the
4 county from which such person was committed and collected with other debts,
5 but the court ordering the discharge may dispense with this requirement or
6 modify it if in its discretion it appears to be fit and proper under the
7 circumstances.

Sec. 34. If any person committed under this Act to an institution shall
2 escape, it shall be the duty of the superintendent of the institution and his

3 assistants and of any sheriff or constable or other officer of the peace in any
 4 county in which he may be found, to take and detain him without a warrant and
 5 report the same at once to the county judge of such county, who shall return
 6 him to the institution from which he escaped.

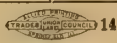
Sec. 35. The Department of Public Welfare shall keep a record of all per-
 2 sons committed under this Act and of the orders respecting them throughout the
 3 State, copies of which orders shall be furnished by the clerk of the court, without
 4 the board's application or upon the board's application.

Sec. 36. The individuality of any part of this Act shall not be construed to
 2 affect the validity of any other part capable of having practical construction and
 3 affect without the invalid part.

Sec. 37. The fact that a person is a mental defective within the meaning of
 2 this Act shall not be a bar to a proceeding against him instituted under "An
 3 Act to revise the law in relation to the commitment and detention of lunatics
 4 and provide for the appointment and removal of conservators and to repeal
 5 certain Acts therein named," approved June 21, 1893, in force July 1, 1893, nor
 6 proceedings under "An Act to better provide for the care and detention of fee-
 7 ble-minded persons," approved June 24, 1915, in force July 1, 1915, but such
 8 mental defective when at large and not under arrest for any alleged criminal
 9 offense may be proceeded against under either of said Acts if such person comes
 10 within their scope, but as to such mental defective after arrest and before dis-
 11 charge, the provisions of this Act shall be exclusive.

Sec. 38. This law is not intended to repeal "An Act to better provide for
 2 the care and detention of feeble-minded persons," approved June 24, 1915, in
 3 force July 1, 1915, nor with "An Act to revise the law in relation to the com-
 4 mitment and detention of lunatics and to provide for the appointment and re-
 5 moval of conservators and to repeal certain Acts therein named," approved June
 6 21, 1893, in force July 1, 1893, but the proceedings mentioned in this Act shall

7 be in addition to any proceedings which might be taken against such mental de-
8 fective under either of the foregoing Acts. But the commitment of a mental de-
9 fective through proceedings under this Act shall be a bar to any proceedings
10 against such person under either of said Acts during the period such person is
11 committed, except such proceedings for the appointment of a guardian or ad-
12 ministrator as may be necessary to preserve such person's estate.



1 Adopted May 12, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 566 on page 4, section 9, line 19 by adding
2 after the word "evidence" the following: "It is expressly declared that the
3 time of the second conviction shall be taken simply as the point at which the
4 State acts to protect its citizens against a person who may previously have
5 been dangerous, and the fact action has been deferred to such time shall not
6 be construed to exclude evidence of any prior condition, fact or circumstance
7 which might tend to establish the mental defectiveness of the defendant and
8 his potential danger to the person or property of others."

AMENDMENT NO. 2.

Amend printed House Bill No. 566 on page 5, section 13 lines 3 and 4 by
2 striking the words "and an order made that the," and inserting in lieu thereof
3 the words "and the court shall postpone the pronouncing of such sentence
4 until such mental defective becomes of normal mind, and the court shall order
5 that such,"

AMENDMENT NO. 3.

Amend printed House Bill No. 566 on page 6, section 13, line 8 by insert-
2 ing after the word "others" the words: "The court in which such proceed-
3 ings have been had is hereby given jurisdiction of the defendant for the pur-
4 pose of pronouncing sentence under the condition until such person is found by a

5 court of competent jurisdiction to be of normal mentality, at which time such
 6 defendant, if he can be found, and if not, when found, shall be forthwith brought
 7 before such court for sentence as provided in this Act."

AMENDMENT NO. 4.

Amend printed House Bill No. 566 by adding thereto after section 15 on
 2 page 6, one section as follows: "Section 15A. In every criminal proceeding a
 3 verdict of guilty has been rendered and the defendant segregated as a mental
 4 defective, the court shall retain jurisdiction for the purpose of sentencing such
 5 defendant under the conviction of such future time as it may be proper so to
 6 do, and shall also retain jurisdiction for the purpose of modifying or revers-
 7 ing any order which it may have entered, to give proper effect to the purposes
 8 and provisions of this Act. All courts of record of this State having criminal
 9 and quasi criminal jurisdiction shall have power to deal in the manner provided
 10 for in this Act, with any mental defective subject to this Act, who shall have been
 11 convicted of a felony or misdemeanor in such court."

AMENDMENT NO. 5.

Amend printed House Bill No. 566 by adding thereto after Section 15 on
 2 page 6, one section as follows: "Section 15B. Any person convicted of a
 3 criminal offense against whom a sentence has been postponed because such
 4 person is a mental defective, may review by appeal in the same manner as near
 5 as may be as in cases of appeal from the Circuit Court in misdemeanors or
 6 writ of error, to either the Supreme or Appellate Court, as provided by law
 7 for review of a conviction and sentence for the criminal offense with which such
 8 person was charged, the order of the court segregating such person in a farm
 9 colony or other institution. Upon appeal the court shall review the record of
 10 the proceedings under the commitment petition, and also the record in the
 11 criminal case. If such reviewing court believes from proper evidence in the
 12 record that the defendant is of normal mind and that the conviction should be
 13 upheld, the Court shall reverse the order of segregation and by appropriate
 14 order provide that the defendant be sentenced under the conviction. If the
 15 court finds such person to be unlawfully and improperly convicted of a crim-

16 inal offense, then it shall reverse the order of segregation, set aside the con-
17 viction and grant to the defendant a new trial. The Appellate Courts of this
18 State are hereby given jurisdiction to hear and determine all such appeals and
19 writs of error, where they would have jurisdiction to review sentence under the
20 conviction, and such courts may affirm, reverse, or modify such order so that
21 the same shall conform to the provisions of this Act, and so that its purposes
22 and the interests of justice and society be best subserved."

AMENDMENT NO. 6.

Amend printed House Bill No. 566, on page 11, section 31, lines 15 and 16
2 by striking the words "Superintendent of Pardons and Paroles to be dealt with
3 as if such petition had never been filed," and inserting in lieu thereof the words
4 "institution to which such person originally had been committed unless on parole,
5 in which event such person is to be released."

AMENDMENT NO. 7.

Amend printed House Bill No. 566 on page 8, section 20, line 20, by strik-
2 ing the words, "People of the State of Illinois," and inserting in lieu thereof,
3 the words "State's attorney of the county from which such commitment was
4 originally made."

AMENDMENT NO. 8.

Amend printed House Bill No. 566, on page 10, section 31, line 2, by insert-
2 ing after the word "penitentiary" and before the word "of" the words "or
3 reformatory."

AMENDMENT NO. 9.

Amend printed House Bill No. 566, on page 13, section 38, lines 11 and 12,
2 by striking the word "administrator" and inserting in lieu thereof the word
3 "conservator."



- 1 Introduced by Mr. Charles Curren, March 31, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act in relation to forests.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Governor shall appoint as an officer
3 of the Department of Agriculture a State Forest Firewarden, who shall be a
4 trained forester, and who shall be charged with the protection of forests against
5 injury by fire. He shall have charge of all county firewardens, and shall aid
6 and direct them in their work, and shall cooperate with the forester of the
7 Division of Natural History Survey of the Department of Registration and Edu-
8 cation in protecting the forests and in promoting the interests of forestry in the
9 State. He shall receive a salary of \$3,000 per annum.

Sec. 2. On application of the State Forest Firewarden, the board of com-
2 missioners or supervisors of any county shall appoint, subject to the approval
3 of the State Forest Firewarden, a suitable resident of their county as county
4 firewarden. If, within sixty days after the date of any such application, the
5 board of commissioners or supervisors of any county fail to appoint such county

6 firewarden, the State Forest Firewarden may appoint a suitable resident of
 7 that county to act as county firewarden for that county. County firewardens
 8 shall serve for two year terms, subject to removal for cause by the State Forest
 9 Firewarden.

Sec. 3. The State Forest Firewarden and each county firewarden shall,
 2 before entering upon their official duties, take the constitutional oath of office.
 3 Such oath shall be taken by county firewardens before the county clerk of the
 4 county in which they reside; and by the State Forest Firewarden, before the
 5 county clerk of the county in which he resides, or before a judge of the supreme
 6 or of any circuit court. The State Forest Firewarden and each county firewar-
 7 den shall have the same authority possessed by constables insofar as concerns
 8 the discharge of their respective duties, and the arrest and prosecution of per-
 9 sons violating any of the forestry laws of the State.

Sec. 4. Each county firewarden and his assistants, shall, on the endorse-
 2 ment of the State Forest Firewarden, receive compensation from the State for
 3 their services at a rate of not to exceed forty cents per hour for time actually
 4 employed, and shall be reimbursed likewise their necessary expenses for equip-
 5 ment and transportation incurred in fighting any fire. The total of such com-
 6 pensation and expenses shall not, however, exceed \$200.00 for any county in
 7 any one year.

Sec. 5. It shall be the duty of each county firewarden, in his county:

- 2 (a) To enforce the forestry laws of the State;
- 3 (b) To protect the State demonstration forests, and to enforce all rules
 4 and regulations in connection therewith;
- 5 (c) To report any violation of the forestry laws to the State Forest Fire-
 6 warden;
- 7 (d) To assist in the arrest and conviction of offenders;
- 8 (e) To cause all forest fires to be extinguished;

9 (f) To report annually to the State Forest Firewarden the forest condi-
10 tions of his county; and

11 (g) To keep an itemized account of all expenses incurred by him and by
12 his assistants, and to send a certified copy of such accounts at least monthly
13 to the State Forest Firewarden.

Sec. 6. The State Forest Firewarden shall furnish notices, printed in large
2 letters upon cloth or strong paper, calling attention to the dangers of forest
3 fires, and to the laws concerning forest fires and their penalties. Such notices
4 shall be distributed by the State Forest Firewarden to the county firewardens,
5 and shall be posted by them in conspicuous places within State demonstration
6 forests, along the highways in forest-covered country, and in other public
7 places.

Sec. 7. Any person who sets on fire, or causes to be set on fire, any woods,
2 brush, logs, leaves, grass, grain, stubble or other material, owned by another,
3 shall be fined not less than \$25.00 nor more than \$1,000.00, or imprisoned in the
4 county jail for not less than thirty days nor more than one year, or both. Camp
5 fires sufficient to warm the body and to cook food may be built on unenclosed
6 and unposted land, but persons building such fires must take proper precautions
7 to prevent the spread of such fires, and must extinguish such fires before leaving
8 such camp. Nothing in this section contained shall apply to any person who in
9 good faith sets a back fire to prevent the extension of a fire already burning.

Sec. 8. It is unlawful for any person to set fire to, or to cause fire to be
2 set to, any woods, brush, logs, leaves, grass, grain, stubble, or other material.
3 upon his land, unless all possible care and precaution against the spreading of
4 such fire to other lands shall have been taken by having such woods, brush, logs,
5 leaves, grass, grain, stubble, or other material, cut and piled, or by clearing the
6 land around such material to prevent the spreading of such fire. Any person
7 building a fire in violation of the provisions of this section, or permitting a fire
8 to escape to the injury of adjoining land, shall be liable in a civil action for all

9 damages resulting from such fire, and for the cost of fighting and extinguishing
10 of such fire.

Sec. 9. Every railroad company shall keep its right of way free from
2 weeds, high grass, brush, decaying timber, or other material, which from their
3 nature or condition are liable to take and communicate fire from passing trains to
4 adjacent property. No railroad company shall permit its employees to deposit
5 fire, live coals or ashes upon their tracks in wooded country unless such fire,
6 coals or ashes are immediately extinguished. Engineers, conductors, or train-
7 men who discover that fences or other material along the right of way, or on
8 lands adjacent thereto, are burning or in danger of fire, shall report the same
9 to the agent or person in charge at their next stopping place at which there is
10 a telegraph or telephone station. Railroad companies shall give particular in-
11 struction to their section employes for the prevention and extinguishment of
12 fires, and shall cause notices, furnished by the State Forest Firewarden, to be
13 posted in their stations, and, when a fire occurs along the right of way of their
14 railroad, or on lands adjacent thereto for which it or its employes are respon-
15 sible, shall concentrate such employes and adopt such measures as may be nec-
16 essary to extinguish such fire. Failure to comply with the provisions of this
17 section shall be punished by a fine of not less than \$10.00 nor more than
18 \$100.00.

Sec. 10. Whenever a dangerously dry time exists in any county, the State
2 Forest Firewarden, or the county firewarden of that county, shall cause notices
3 to be posted in three public places in that county forbidding the burning of
4 wood, brush, logs, leaves, grass or other material therein. Camp fires for the
5 purpose of warming the body or for cooking food, may be built with the permis-
6 sion of the county firewarden, but persons building such fires shall exercise all
7 reasonable precautions to prevent the spread thereof, and shall extinguish such
8 fires before leaving them. Any person who violates any of the provisions of this
9 section shall be fined not exceeding \$50.00, or imprisoned in the county jail not
10 exceeding six months, or both.

Sec. 11. Any person or corporation causing any fire in violation of the provisions of Sections 7, 8, 9 and 10 of this act, shall, in addition, be liable to the State and to the county in which such fire occurred, in an action of debt for all expenses incurred by the State or county in fighting and extinguishing such fire.

Sec. 12. Any person who destroys, defaces, or removes any sign, poster, or warning notice, posted under the provisions of this act, shall be fined not less than \$15.00 nor more than \$100.00, or imprisoned in the county jail for a period not less than ten days nor more than three months, or both.

Sec. 13. Any county firewarden who fails to carry out his duties under this act, and any person who fails to furnish assistance in extinguishing fires when required to do so by any county firewarden, shall be fined not less than \$10.00 nor more than \$50.00, or imprisoned in the county jail not less than ten days nor more than one month, or both.

Sec. 14. No person shall be compensated for fighting fire on his own land, or on land which he holds under lease, or on land belonging to his employer. No railroad company shall be compensated for fighting fires on its right of way, or on land adjacent thereto where such fires started on the right of way or were caused by fire, live coals, ashes or sparks from any locomotive.

Sec. 15. The county board of commissioners or supervisors of each county is authorized to levy taxes and to appropriate moneys for the protection, improvement, and management of forests.

Sec. 16. All moneys received as penalties for violations of the provisions of this act shall be paid into the county treasury; and all moneys recovered in civil suits as damages to State forests shall be paid into the State treasury.



- 1 Introduced by Mr. Charles Curren, March 31, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the State Forest Fire Warden.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: There is appropriated to the State Forest
Fire Warden the sum of \$24,000, or so much thereof as may be necessary, for
the purposes hereinafter named for the biennium beginning July 1, 1921, and
until the expiration of the first fiscal quarter after the adjournment of the next
General Assembly:

For salaries and wages, and for expenses other than for fighting fires.....	\$10,000.00 per annum
For expenses fighting fires.....	2,000.00 per annum
Total.....	\$12,000.00 per annum

Sec. 2. The appropriations herein made are subject to the provisions of
“An Act in relation to State finance,” approved June 10, 1919, in force July
1, 1919.



- 1 Introduced by Mr. Charles Curren, March 31, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend Sections 5 and 9 of "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 5 and 9 of "An Act in relation to the civil administration of the State government, and to repeal certain Acts therein named," approved March 7, 1917, in force July 1, 1917, as amended, are amended to read as follows:

Sec. 5. In addition to the directors of departments, the following executive and administrative officers, boards and commissions, which said officers, boards and commissions in the respective departments, shall hold offices hereby created and designated as follows:

IN THE DEPARTMENT OF FINANCE:

Assitant director of finance;

Administrative auditor;

8 Superintendent of budget;
 9 Superintendent of department reports;
 10 Statistician;
 11 The Tax Commission, which shall consist of three officers designated as tax
 12 commissioners.

13 IN THE DEPARTMENT OF AGRICULTURE:

14 Assistant director of agriculture;
 15 General manager of the State fair;
 16 Superintendent of foods and dairies;
 17 Superintendent of animal industry;
 18 Superintendent of plant industry;
 19 Chief veterinarian;
 20 Chief game and fish warden;
 21 The food standard commission, which shall consist of the superintend-
 22 ent of foods and dairies and two officers designated as food standard
 23 officers;
 24 *State Forest Fire Warden.*

25 IN THE DEPARTMENT OF LABOR:

26 Assistant director of labor;
 27 Chief factory inspector;
 28 Superintendent of free employment offices;
 29 Chief inspector of private employment agencies;
 30 The industrial commission, which shall consist of five officers designated
 31 as industrial officers.

32 IN THE DEPARTMENT OF MINES AND MINERALS:

33 Assistant director of mines and minerals;
 34 The mining board, which shall consist of four officers designated as mine
 35 officers and the director of the department of mines and minerals;

36 The miners' examining board, which shall consist of four officers, desig-
37 nated miners' examining officers.

38 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

39 Assistant director of public works and buildings;

40 Superintendent of highways;

41 Chief highway engineer;

42 Supervising architect;

43 Supervising engineer;

44 Superintendent of waterways;

45 Superintendent of printing;

46 Superintendent of purchases and supplies;

47 Superintendent of parks.

48 IN THE DEPARTMENT OF PUBLIC WELFARE:

49 Assistant director of public welfare;

50 Alienist;

51 Criminologist;

52 Fiscal supervisor;

53 Superintendent of charities;

54 Superintendent of prisons;

55 Superintendent of pardons and paroles.

56 IN THE DEPARTMENT OF PUBLIC HEALTH:

57 Assistant director of public health;

58 Superintendent of lodging house inspection;

59 IN THE DEPARTMENT OF TRADE AND COMMERCE:

60 Assistant director of trade and commerce;

61 Superintendent of insurance;

62 Fire marshal;

63 Superintendent of standards;

64 Chief grain inspector;

65 The public utilities commission, which shall consist of five officers, desig-
66 nated public utility commissioners;

67 Secretary of the Public Utilities Commission.

68 IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

69 Assistant director of registration and education;

70 Superintendent of registration;

71 The normal school board, which shall consist of nine officers, together with
72 the director of the department and the superintendent of public instruction.

73 The above named officers, and each of them, shall, except as otherwise pro-
74 vided in this Act, be under the direction, supervision and control of the director
75 of their respective departments, and shall perform such duties as such director
76 shall prescribe.

Sec. 9. The executive and administrative officers whose offices are created
2 by this Act, shall receive annual salaries, payable in equal monthly install-
3 ments, as follows:

4 IN THE DEPARTMENT OF FINANCE:

5 The director of finance shall receive seven thousand dollars;

6 The assistant director of finance shall receive forty-two hundred dollars;

7 The administrative auditor shall receive forty-eight hundred dollars;

8 The superintendent of budget shall receive three thousand six hundred
9 dollars;

10 The superintendent of department reports shall receive thirty-six hundred
11 dollars;

12 The statistician shall receive four thousand dollars;

13 Each Tax Commissioner shall receive six thousand dollars.

14 IN THE DEPARTMENT OF AGRICULTURE:

15 The director of agriculture shall receive six thousand dollars;

16 The assistant director of agriculture shall receive thirty-six hundred
17 dollars;

18 The general manager of the State fair shall receive thirty-six hundred
19 dollars;

20 The superintendent of foods and dairies shall receive forty-eight hundred
21 dollars;

22 The superintendent of animal industry shall receive thirty-six hundred
23 dollars;

24 The superintendent of plant industry shall receive thirty-six hundred
25 dollars;

26 The chief veterinarian shall receive forty-two hundred dollars;

27 The chief game and fish warden shall receive three thousand six hundred
28 dollars;

29 Each food standard officer shall receive four hundred and fifty dollars;

30 *The State Forest Fire Warden shall receive three thousand dollars.*

31 IN THE DEPARTMENT OF LABOR:

32 The director of labor shall receive five thousand dollars;

33 The assistant director of labor shall receive three thousand dollars;

34 The chief factory inspector shall receive three thousand dollars;

35 The superintendent of free employment offices shall receive three thousand
36 dollars;

37 The chief inspector of private employment agencies shall receive three
38 thousand dollars;

39 Each industrial officer shall receive five thousand dollars.

40 IN THE DEPARTMENT OF MINES AND MINERALS:

41 The director of mines and minerals shall receive five thousand dollars;

42 The assistant director of mines and minerals shall receive three thousand
43 dollars;

44 Each mine officer shall receive five hundred dollars;

45 Each miners' examining officer shall receive one thousand eight hundred
46 dollars.

47 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

48 The director of public works and buildings shall receive seven thousand
49 dollars;

50 The assistant director of public works and buildings shall receive four
51 thousand dollars;

52 The superintendent of highways shall receive five thousand dollars;

53 The chief highway engineer shall receive five thousand dollars;

54 The supervising architect shall receive four thousand dollars;

55 The supervising engineer shall receive four thousand dollars;

56 The superintendent of waterways shall receive five thousand dollars;

57 The superintendent of printing shall receive five thousand dollars;

58 The superintendent of purchases and supplies shall receive five thousand
59 dollars;

60 The superintendent of parks shall receive twenty-five hundred dollars.

61 IN THE DEPARTMENT OF PUBLIC WELFARE:

62 The director of public welfare shall receive seven thousand dollars;

63 The assistant director of public welfare shall receive four thousand
64 dollars;

65 The alienist shall receive five thousand dollars;

66 The criminologist shall receive five thousand dollars;

67 The fiscal supervisor shall receive five thousand dollars;

68 The superintendent of charities shall receive five thousand dollars;

69 The superintendent of prisons shall receive five thousand dollars;

70 The superintendent of pardons and parole shall receive five thousand
71 dollars.

72 IN THE DEPARTMENT OF PUBLIC HEALTH;

73 The director of public health shall receive six thousand dollars;

74 The assistant director of public health shall receive three thousand six
75 hundred dollars;

76 The superintendent of lodging house inspection shall receive three thou-
77 sand dollars.

78 IN THE DEPARTMENT OF TRADE AND COMMERCE:

79 The director of trade and commerce shall receive seven thousand dollars;

80 The assistant director of trade and commerce shall receive four thousand
81 dollars;

82 The superintendent of insurance shall receive five thousand dollars;

83 The fire marshal shall receive thhree thousand dollars;

84 The superintendent of standards shall receive twenty-five hundred dollars;

85 The chief grain inspector shall receive five thousand dollars;

86 Each public utility commissioner shall receive seven thousand dollars;

87 The secretary of the Public Utilities Commission shall receive four thou-
88 sand dollars;

89 IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

90 The director of registration and education shall receive five thousand
91 dollars;

92 The assistant director of registration and education shall receive three
93 thousand six hundred dollars;

94 The superintendeit of registration shall receive four thousand two hundred
95 dollars.



- 1 Introduced by Mr. Shearer, March 31, 1921.
2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending Section Twenty-two of Division 1 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to criminal jurisprudence," approved March 27, 1874, in
4 force July 1, 1874, as subsequently amended, be and is hereby amended by
5 amending Section Twenty-two of Division 1 thereof, to read as follows:

DIVISION 1.

Sec. 22. Whoever shall be guilty of an assault, or an assault and battery,
2 shall be fined not less than \$5.00 nor more than \$200.00, *or shall be imprisoned*
3 *in the county jail for a period not exceeding six months, or both.*



1 Introduced by Mr. Shearer, March 31, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to add Sections 151b and 151c to "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 151b and 151c are added to "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, as amended, these sections to read as follows:*

Sec. 151b. *It is unlawful to build, own or use a platform designed for use or convenience in loading articles of property on to or in unloading articles of property from vehicles, if any part of the platform is constructed on or over any portion of an improved public highway outside the corporate limits of a city, village or incorporated town. "Improved public highway," as used in this section, means a public highway along which is constructed a hard-surfaced road made of concrete, asphalt, macadam, brick or other like material.*

Sec. 151c. *Any person who violates the provisions of Section 151b of this*
2 *Act is guilty of a misdemeanor and shall be fined not less than twenty-five dol-*
3 *lars (\$25.00) nor more than one hundred dollars (\$100.00). In case of a con-*
4 *tinuing violation of the provision of Section 151b, each day's continuance thereof*
5 *constitutes a separate offense.*



1 Adopted April 20, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 571 in the title by striking out the word “and” after
2 the figures “151b” and inserting in lieu thereof a comma (,).

AMENDMENT NO. 2.

Amend the title to House Bill No. 571 by inserting after the figures “151c”
2 the following “and 151d”.

AMENDMENT NO. 3.

Amend House Bill No. 571 in line 2, Section 1, by striking out the word
2 “and” after the figures “151b” and inserting in lieu thereof a comma (,).

AMENDMENT NO. 4.

Amend House Bill No. 571 in line 2, Section 1, by inserting after the figures
2 “151c” the following “151d”.

AMENDMENT NO. 5.

Amend House Bill No. 571, in line 5, Section 151b, by striking out the period
2 and inserting in lieu thereof a comma (,) and by inserting after the comma, the
3 following:

4 “and no mail box or receptacle for receiving mail, or other article, shall be
5 located within a distance of ten (10) feet of any part of the hard surface of said
6 improved public highway.”

AMENDMENT NO. 6.

Amend House Bill No. 571 by adding a new section thereto known as Section 151d as follows:

“Sec. 151d. All platforms and parts thereof and mail boxes, or other receptacles, now located or used along or upon any improved public highway in this State in violation of any of the provisions of this Act, are hereby ordered removed, and unless the same are removed within sixty (60) days after this Act goes into effect, any highway commissioner, road commissioner, or any employee of the Department of Public Works and Buildings is hereby authorized and directed to remove and destroy the same upon its discovery.”



- 1- Introduced by Mr. Arnold, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act in relation to the disposal of certain funds and property which now are or hereafter may be in the custody of the managing officer of the Illinois Soldiers' and Sailors' Home at Quincy.

SECTION 1. *Be it enacted by the People of The State of Illinois,*

2 *represented in the General Assembly:* Money which has been paid or which may
3 be paid to the managing officer of the Illinois Soldiers' and Sailors' Home at
4 Quincy as interest on funds deposited by such managing officer for the soldiers
5 and sailors at the home, shall be expended at the direction of the Department
6 of Public Welfare for the special comfort, pleasure and amusement of the sol-
7 diers and sailors in the Illinois Soldiers' and Sailors' Home at Quincy.

Sec. 2. Any money belonging to a deceased resident of the Illinois Sol-
2 diers' and Sailors' Home at Quincy and in the custody of the managing officer of
3 this Soldiers' and Sailors' Home, may, if unclaimed by the legal representatives
4 of such deceased person for a period of two years, be expended at the direction
5 of the Department of Public Welfare as specified in Section 1. Articles of per-

6 sonal property so left in the custody of such managing officer shall, if unclaimed
7 for the period of two years, be sold and the money disposed in the same manner.

Sec. 3. All money and property devised, bequeathed or given to the Illinois
2 Soldiers' and Sailors' Home at Quincy shall be expended, or sold and the pro-
3 ceeds of the sale expended, at the direction of the Department of Public Welfare,
4 as specified in Section 1, unless otherwise directed in the instrument making the
5 bequest or devise or gift.



- 1 Introduced by Mr. Bippus, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Sections 1, 2 and 4 of "An Act to provide for the formation and disbursement of a pension fund in counties having a population of 150,000 or more inhabitants, for the benefit of officers and employees in the service of such counties," approved June 29, 1915, in force July 1, 1915, and to add Sections 2a and 4a thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 1, 2 and 4 of "An Act to provide for the formation and disbursement of a pension fund in counties having a population of 150,000 or more inhabitants, for the benefit of officers and employees in the service of such counties," approved June 29, 1915, in force July 1, 1915, are amended and Sections 2a and 4a are added thereto, the amended and added sections to read as follows:

Sec. 1. In counties having a population exceeding 150,000 inhabitants, there shall be created, established and maintained a pension fund for officers and employees who are employed in such counties in accordance with the provisions

4 hereof. The provisions of this Act shall not apply, *however*, to temporary or
 5 probationary employees nor to any employee who is sixty or more years of age
 6 at the time this Act takes effect and who at said time has not been in the service
 7 of such county for at least ten years; *nor to employees who are fifty or more*
 8 *years of age at the time time of entering the service of the county*; nor to
 9 laborers unless any such laborer shall within six months after this Act shall be
 10 in force and effect, or in the event that any such laborer is now in the employ
 11 of such county within six months after such laborer shall enter the service of
 12 such county give written notice of his election to the board of trustees of said
 13 fund of his desire to participate in the benefits hereunder.

14 Said fund shall consist of amounts of two dollars a month retained or de-
 15 ducted by the comptroller of such county from the salaries or wages of each
 16 employee and such other sums as are hereinafter referred to. If, *however*, the
 17 name of any such employee shall not appear upon the pay-roll of the depart-
 18 ment in which he or she is employed by reason of leave of absence, sickness,
 19 lack of work, or any other good and sufficient cause, making a deduction impos-
 20 sible, such employee may retain his or her rights under this Act by paying two
 21 dollars each month to the treasurer of such county for the benefit of said fund,
 22 during his or her temporary absence from the service.

Sec. 2. A board composed of the comptroller and treasurer of *the* county
 2 and three employees *of the county to whom the provisions of this Act apply*,
 3 elected as hereinafter provided shall constitute a board of trustees, authorized
 4 to carry out the provisions of this Act. *This* board shall be known as the
 5 Board of Trustees of the Municipal Pension Fund of *the* county. The three
 6 members of *this* board who are employees shall not hold, during their term of
 7 membership on *the* board, any appointive or elective political offices or positions.
 8 One of such persons shall be elected to serve for a term of one year, one for a
 9 term of two years, and one for a term of three years and annually thereafter *the*
 10 *employees to whom the provisions of this Act apply*, shall elect one of their num-
 11 ber to hold office for a term of three years. When any elective member of the

board ceases to be in the employ of the county, his membership on the board shall ipso facto cease. In the event of death, resignation or inability to act of any member of the board elected under the provisions of this section, the successor of such member shall be elected at a special election, which shall be called by the board and shall be conducted in the same manner as are annual elections hereunder.

Sec. 2a. Any county employee to whom the provisions of this Act apply may become a candidate for member of the board of trustees by filing a petition signed by at least ten other employees of the county to whom the provisions of this Act apply with the secretary of the board of trustees four days previous to the election. The annual election of a member of the board of trustees shall be held on the first Monday in October. Notices of the election shall be posted by the board of trustees in the court house and the other county buildings in which employees work for at least seven days previous to the date on which the election is to be held. Judges and clerks of the election shall be appointed by the board of trustees, but the members of the board may not serve as judges and clerks. Returns of the election shall be made to the board of trustees and the result of the election posted in the court house and other county buildings in which employees work.

The member of the board of trustees whose term expires in the year 1921, shall hold office until the first Monday in October, 1921; the member whose term of office expires in the year 1922 shall hold office until the first Monday in October, 1922; and the member whose term of office expires in the year 1923 shall hold office until the first Monday in October 1923.

Sec. 4. Said board shall have the power, and it shall be its duty: To authorize all payments from said pension fund pursuant to the provisions of this Act, which shall include all pensions to beneficiaries of said fund, at a rate of fifty dollars per month, and all necessary expenses incurred in the administration of said fund: *Provided*, that no compensation or emolument shall be paid or allowed to any member of said board for any duty required or performed

7 under this Act and provided, further, that the chief legal adviser of the presi-
8 dent and board of county commissioners of said county shall be the legal adviser
9 of said board of trustees.

10 To hear and determine all applications for pensions under this Act and to
11 suspend the payment of pensions when disability ceases.

12 To audit the accounts pertaining to said fund at least four times in each
13 year.

14 To accept, by gift, grant, bequest or otherwise, any money or property of
15 any kind and use the same for the benefit of said fund.

16 To invest such fund or any part thereof, in the name of said board, in in-
17 terest bearing bonds of the United States, of the State of Illinois, or of any
18 county of this State, or of any township or any municipal corporation of the
19 State of Illinois, or any other state, and all such securities shall be deposited
20 with the treasurer of said board and shall be subject to the order of said board;
21 said treasurer shall furnish a good and sufficient bond to said board in an amount
22 to be fixed by said board, conditioned upon the faithful performance of the
23 duties of said office, and that said treasurer will truly account for all moneys,
24 including the interest thereon, and property of said fund which may come into
25 his hands, and that upon the expiration of his term of office or upon his retire-
26 ment therefrom he will deliver over to his successor all the moneys, including
27 the interest thereon, and the property which may be in his custody and belong-
28 ing to said fund; all costs and incidentals to the same, to be paid out of said
29 pension fund.

30 To authorize the payment to any employee who may be separated from the
31 service of such county before such employee shall have qualified for a pension,
32 an amount equal to the amount deducted from the salary or wages of such
33 employee, together with interest upon such deduction at the rate of three per
34 cent per annum: *Provided*, that such employee shall release said board from
35 any future liability after receipt of said sum. To compel witnesses to attend
36 and testify before it upon all matters connected with the operation of this Act,

37 in the same manner as is or may be provided by law for the taking of testimony
38 before master in chancery, and its president or any member of said board may
39 administer oaths to such witnesses.

40 To appoint a clerk and define his duties.

41 To make all necessary rules and regulations for its guidance in conformity
42 with the provisions of this Act.

Sec. 4a. *The county board of each county coming within the provisions of
2 this Act shall annually appropriate from the county treasury for the municipal
3 pension fund of the county a sum equal to twice the amount deducted from the
4 salaries and wages of county employees for the fund. In order to provide the
5 share which the county is required to pay into the municipal pension fund the
6 county board shall levy an annual tax upon all the taxable property of the
7 county of not to exceed one-half of one per cent upon the valutaion to be ascer-
8 tained by the last assessment for State or county purposes.*

- 1 Introduced by Mr. Little (by request), April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," returned by the Governor, July 7, 1885, to the Secretary of State, without his approval or veto, as subsequently amended by an Act in force July 1, 1887, by amending Sections 5 and 6 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That "An Act to authorize the formation of companies for the detection and apprehension of horse thieves and other felons," returned by the Governor July 7, 1885, to the Secretary of State, without his approval or veto, and is therefore now in force July 1, 1887, be, and the same is hereby amended by amending Sections 5 and 6 thereof to read as follows:

Sec. 5. Such companies shall have power to call to their aid the peace officers of this State in accordance with law in the pursuit and apprehension of criminals and the recovery of stolen property.

Sec. 6. It shall be the duty of any company so forming articles of association to provide a suitable book for the recording of its articles of association and the name of each member as subscribed to the articles of association and the names of all new members, the date the same were taken in, the names of all members withdrawn or expelled and the date of the same.

Sec. 2. Whereas, an emergency exists, this Act shall be in full force from and after its passage.



- 1 Introduced by Mr. McCaskrin, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to authorize the establishment and maintenance of stadium and athletic fields in townships.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The word "town" as used in this Act
3 means a township organized for political purposes under the provisions of "An
4 Act to revise the law in relation to township organizations," approved and in
5 force March 4, 1874, as amended.

Sec. 2. For the purpose of promoting the health and welfare of its citizens
2 any town in this State may, subject to a referendum vote, acquire and improve
3 not to exceed ten acres of land within the town to be set apart, held, kept and
4 maintained as a stadium and athletic field for the use of the public.

Sec. 3. Whenever in any town not less than one hundred (100) of its voters
2 who voted at the last general election held in the town shall petition the town
3 clerk to submit to a referendum vote the proposition of acquiring and maintain-
4 ing a stadium and athletic field, the proposition shall be submitted at the next

5 annual town election, to be held not less than 30 days after the filing of the peti-
 6 tion. Notice that the proposition is to be voted on shall be given at the same
 7 time and in the same manner that notice of the town election is given. The vote
 8 shall be by separate ballots to be furnished by the town. Ballots shall be sub-
 9 stantially in the following form:

For a stadium and athletic field	
Against a stadium and athletic field	

10 The voter shall make a cross-mark in the square following and opposite the
 11 proposition favored and the ballot shall be so counted. The canvass and return
 12 on the votes cast shall be made at the same time and in the same manner as in
 13 the case of ballots cast for the election of town officers.

Sec. 4. If a majority of the votes cast on such proposition be in favor of
 2 acquiring and maintaining a stadium and athletic field, a board of five stadium
 3 and athletic field commissioners shall be elected at the next annual town elec-
 4 tion in the town. These commissioners shall be elected in the same manner as
 5 are the town officers. Two of the commissioners shall hold office for one year;
 6 three shall hold office for two years. Their respective terms shall be determined
 7 by lot. Successors shall be elected at the annual town elections, for a term of
 8 two years. Vacancies occurring in the board shall be filled for the unexpired
 9 term by appointments of the board of town auditors. The commissioners shall
 10 serve without compensation.

11 The board of commissioners shall organize by electing one of their number
 12 chairman and one secretary; they shall keep a record of their proceedings,
 13 which shall, at all reasonable times, be open to inspection.

Sec. 5. It is the duty of each board of stadium and athletic field commis-
 2 sioners elected pursuant to the provisions of this Act:

3 (a) To select a suitable site of not more than ten acres in area, for a sta-
 4 dium and athletic field for the town;

(b) To acquire title to the site so selected by accepting a donation or devise or by purchase or condemnation under the eminent domain laws of this State;

(c) To erect a stadium on the site so selected and lay it out as an athletic field for the use of the public;

(d) To maintain, manage and control the stadium and athletic field and make and enforce proper rules and regulations for their beneficial use.

Sec. 6. Bonds of a town for raising funds to acquire and improve a site for a stadium and athletic field may be issued in the following manner:

Whenever one hundred (100) or more legal voters of any town in the State which has elected a board of stadium and athletic field commissioners, shall file a petition in writing in the office of the town clerk asking that an election be held to authorize the issuance of bonds for the purpose of providing for the purchase and improvement of a stadium and athletic field in the town, and the petition shall designate the amount of bonds proposed to be issued for the acquirement and improvement thereof, it shall be the duty of the town clerk to submit to the legally qualified voters of the town the question of issuing bonds for such purpose, to the amount named in the petition, at the next annual town election to be held in less than 30 days after the filing of the petition, or if there is no such annual town election to be held within six months after the filing of the petition then at a special election to be called for the purpose of voting on such proposition; the town clerk shall prepare a notice of such election, which shall state the date of election, the polling places and the amount of bonds proposed to be issued. The notice of election shall be posted at the polling places at least twenty-one (21) days prior to the election, and such notice shall be published in a newspaper published in the county and having a general circulation, at least once each week for three successive weeks prior to the election.

The judges and clerks at such election shall be selected and the votes canvassed in the same manner and by the same authority as at other town elections,

23 and the ballots used shall be prepared under the same authority. The ballots
24 shall be in substantially the following form:

25 **OFFICIAL BALLOT.**

26 To cast a ballot in favor of the proposition submitted upon this bal-
27 lot, place a cross-mark in the square opposite the word "Yes." To vote
28 against the proposition submitted upon this ballot, place a cross-mark
29 opposite the word "No."

30 Shall the following be adopted:

Proposition to issue stadium and athletic field bonds of the town ofCounty of	Yes
State of Illinois to the amount of Dollars for the purpose of improving an athletic field	No

31 If a majority of the votes cast upon the proposition so submitted are in
32 favor of the issuance of bonds, it shall be the duty of the stadium or athletic
33 field commissioners of the town to issue bonds of the town not exceeding the
34 amount voted upon at said election. The bonds shall become due not more than
35 twenty (20) years after the date of their issuance and shall be in denominations
36 of one hundred dollars (\$100) or any multiple thereof, and shall bear interest,
37 evidenced by coupons, at a rate not exceeding five (5) per centum per annum,
38 payable semi-annually, as shall be determined by the board of stadium and ath-
39 letic field commissioners. These bonds shall be sold at not less than par and the
40 proceeds thereof used solely for the purpose of procuring and improving a sta-
41 dium or athletic field in the town.

Sec. 7. For the purpose of providing a fund for the maintenance of the
2 stadium or athletic field and for the purpose of retiring stadium and athletic
3 field bonds, the board of stadium and athletic field commissioners of any town
4 is authorized to levy an annual tax of not more than three mills on each dollar
5 of the valuation of the taxable property of the town, as assessed for taxation,

6 which shall be levied and collected at the time and in the manner that other town
7 taxes are required to be levied and collected. This maintenance tax, when levied
8 and collected, shall be used to retire stadium and athletic field bonds and shall be
9 applied to the expenses of maintenance and development of any stadium and
10 athletic field theretofore acquired by such town.



1 Adopted June 2, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 575 by striking all after the enacting clause
2 and substituting in lieu thereof the following:

3 “For the purpose of promoting the health and welfare of its citizens, any
4 city in this State having more than thirty thousand inhabitants where corporate
5 limits coincide with the township limits in which said city is located, may, sub-
6 ject to a referendum vote, acquire and improve not to exceed ten acres of land,
7 within or without the city, to be set apart, held, kept and maintained as a
8 stadium and athletic field for the use of the public.

Sec. 2. Whenever, in any such city, not less than one hundred (100) of its
2 legal voters shall petition the clerk of the city to submit to a referendum vote
3 the proposition of acquiring and maintaining a stadium and athletic field, the
4 proposition shall be submitted at the next regular election, to be held in the
5 city, not less than 30 days after the filing of the petition. Notice that the propo-
6 sition is to be voted on shall be given at the same time and in the same manner
7 that notice of the election is given. The vote shall be by separate ballots to be
8 furnished by the city. Ballots shall be substantially in the following form:

For a stadium and athletic field	
Against a stadium and athletic field	

9 The voter shall make a cross-mark in the square following and opposite the
10 proposition favored and the ballot shall be so counted. The canvass and return
11 on the votes cast shall be made at the same time and in the same manner as in
12 the case of ballots cast for the election of officers of the city.

Sec. 3. If a majority of the votes cast on such proposition be in favor of
2 acquiring and maintaining a stadium and athletic field, a board of five stadium
3 and athletic field commissioners shall be elected at the next regular election in
4 the city. These commissioners shall be elected in the same manner as are the
5 officers of the city. Two of the commissioners shall hold office for one year;
6 three shall hold office for two years. Their respective terms shall be deter-
7 mined by lot. Successors shall be elected for a term of two years. Vacancies
8 occurring in the board shall be filled for the unexpired term by appointments
9 of the mayor in said cities. The commissioners shall serve without
10 compensation.

11 The board of commissioners shall organize by electing one of their num-
12 ber chairman and one secretary; they shall keep a record of their proceedings,
13 which shall, at all reasonable times, be open to inspection.

Sec. 4. It is the duty of each board of stadium and athletic field commis-
2 sioners elected pursuant to the provisions of this Act:

3 (a) To select a suitable site of not more than ten acres in area, within or
4 without the city, for a stadium and athletic field for the said city for which they
5 are elected;

6 (b) To acquire title to the site so selected by accepting a donation or
7 devise or by purchase or condemnation under the eminent domain laws of this
8 State;

9 (c) To erect a stadium on the site so selected and lay it out as an athletic
10 field for the use of the public;

11 (d) To maintain, manage and control the stadium and athletic field and
12 make and enforce proper rules and regulations for their beneficial use.

Sec. 5. Bonds of a city for raising funds to acquire or to improve or to
acquire and improve a site for a stadium and athletic field may be issued in
the following manner:

Whenever one hundred (100) or more legal voters of any city in the State
which has elected a board of stadium and athletic field commissioners, shall
file a petition in writing in the office of the clerk of the city, asking that an
election be held to authorize the issuance of bonds for the purpose of provid-
ing for the purchase or improvement or purchase and improvement of a
stadium and athletic field for the city, and the petition shall designate the
amount of bonds proposed to be issued, it shall be the duty of the clerk to
submit to the legally qualified voters of the city the question of issuing bonds
for such purpose, to the amount named in the petition, at the next regular elec-
tion to be held not less than 30 days after the filing of the petition, or if there
is no such regular election to be held within six months after the filing of
the petition then at a special election to be called for the purpose of voting on
such proposition; the clerk of the city shall prepare a notice of such election,
which shall state the date of election, the polling places and the amount of
bonds proposed to be issued. The notice of election shall be posted at the poll-
ing places for at least twenty-one (21) days prior to the election, and such
notice shall be published in a newspaper published in the county and having
a general circulation, at least once each week for three successive weeks prior
to the election.

The judges and clerks at such election shall be selected and the votes can-
vassed in the same manner and by the same authority as at other elections in
the city, and the ballots used shall be prepared under the same authority. The
ballots shall be in substantially the following form:

OFFICIAL BALLOT.

To cast a ballot in favor of the proposition submitted upon this ballot, place
a cross-mark in the square opposite the word 'Yes.' To vote against the propo-
sition submitted upon this ballot, place a cross-mark opposite the word 'No.'

31 Shall the following be adopted:

Proposition to issue stadium and athletic field bonds of the city of....., county of....., State of Illinois, to the amount of.....Dollars, for the purpose of acquiring (or improving) an athletic field.	YES
	NO

32 If a majority of the votes cast upon the proposition so submitted are in
 33 favor of the issuance of bonds, it shall be the duty of the stadium or athletic
 34 field commissioners of the city to issue bonds of the city, not exceeding the
 35 amount voted upon at said election. The bonds shall become due not more than
 36 twenty (20) years after the date of their issuance and shall be in denomina-
 37 tions of one hundred dollars (\$100) or any multiple thereof, and shall bear
 38 interest, evidenced by coupons, at a rate not exceeding five (5) per centum
 39 per annum, payable semi-annually, as shall be determined by the board of
 40 stadium and athletic field commissioners. These bonds shall be sold at not less
 41 than par and the proceeds thereof used solely for the purpose of acquiring or
 42 improving or acquiring and improving a stadium or athletic field for the city.

Sec. 6. For the purpose of providing a fund for the maintenance of the
 2 stadium or athletic field and for the purpose of retiring stadium and athletic
 3 field bonds, the board of stadium and athletic field commissioners of any city,
 4 is authorized to levy an annual tax of not more than three mills on each dol-
 5 lar of the valuation of the taxable property of the city, as assessed for taxa-
 6 tion, which shall be levied and collected at the time and in the manner that
 7 other taxes are required to be levied and collected. This maintenance tax, when
 8 levied and collected, shall be used to retire stadium and athletic field bonds and
 9 shall be applied to the expenses of maintenance and development of any stadium
 10 and athletic field theretofore acquired by the city.

AMENDMENT NO. 2.

Amend the title of printed House Bill No. 575 to read as follows:

“A BILL

For an Act to authorize the establishment and maintenance of stadium and athletic fields in cities having a population of more than thirty thousand, the corporate limits of which coincide with the township limits in which said cities are located.”



- 1 Introduced by Mr. Rutshaw, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act to regulate the forfeiture of partial payments upon the purchase price
of personal property or real estate.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* This Act applies to all conditional sales,
3 or contracts for the sale, of real estate or personal property, which are made
4 from and after July 1, 1921.

Sec. 2. This Act does not apply to *bona fide* options for the purchase of
2 property. A contract which is in substance a conditional sale or contract to sell
3 but which purports to be a lease with option of purchase is *prima facie* not a
4 *bona fide* option.

Sec. 3. In all conditional sales or contracts to sell, in which the buyer has
2 paid more than five per centum of the total purchase price, but fails to pay
3 the entire price, and the vendor retains or recovers the property, the buyer shall

4 be entitled to recover back one-half of the amount so paid, in excess of said five
 5 per centum, except as herein otherwise provided. But this Act shall not apply
 6 to contracts in which the parties have themselves agreed that the buyer may
 7 recover one-half or more of such partial payments.

Sec. 4. Nothing contained herein shall prevent the vendor from recovering
 2 or retaining compensation for the actual damage such vendor has sustained by
 3 reason of the buyer's breach of contract; and if such actual damage exceeds one-
 4 half the purchase price, the vendor may retain the amount of such damages, not-
 5 withstanding the provision of Section 3 of this Act, unless the parties have
 6 themselves agreed upon a smaller amount.

Sec. 5. Whenever a buyer is entitled to a refund under this Act, and is in
 2 possession of personal property which the vendor is about to retake, it shall be
 3 optional with such buyer to accept payment of the aforesaid refund in cash, or to
 4 retain so much of the personal property as shall not exceed in value the amount
 5 of said refund.

Sec. 6. Any provision in a contract which is contrary to this Act, or is
 2 designed to evade the provisions of this Act, by fixing excessive liquidated dam-
 3 ages, or by any other means, shall be void. A provision for liquidated dam-
 4 ages is *prima facie* excessive if the amount agreed upon exceeds one-half the
 5 total purchase price.



1 Introduced by Mr. Stubbles, April 6, 1921.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to add Sections 16 and 17 to Article I of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 16 and 17 are added to Article I
3 of "An Act regulating the holding of elections and declaring the result thereof
4 in cities, villages and incorporated towns in this State," approved June 19, 1885,
5 in force July 1, 1885, as amended, these sections to read as follows:

Sec. 16. *Cities, villages and towns of less than 500,000 population which*
2 *have adopted this Act may withdraw from under the provisions of this Act in*
3 *the following manner:*

4 *Whenever twenty-five per cent (25%) of the legal voters of any such city,*
5 *village or town, who voted at the last preceding general state, county or munic-*
6 *ipal election shall petition the judge of the county court of the county in which*

7 *the city, village or town is located to submit to a vote of the electors of the*
 8 *city, village or town the proposition of withdrawing from under the provisions*
 9 *of this Act, it shall be the duty of the judge of the county court to submit such*
 10 *proposition at the next succeeding general state, county or municipal election*
 11 *to be held not less than seventy days after the filing of the petition. The*
 12 *manner of giving notice of the election of preparing the ballots, of holding the*
 13 *election, of counting the votes, of making returns and of canvassing the vote*
 14 *on this proposition shall be governed by the sections of this Article relating*
 15 *to the submission of the proposition of adopting this Act so far as applicable.*
 16 *The form of the ballot so far as it relates to this proposition shall be written or*
 17 *printed in the following form: "For abandonment of city election law" or*
 18 *"Against abandonment of city election law."*

Sec. 17. *If the proposition of withdrawing from under the provisions of*
 2 *this Act receives a majority of the votes cast for and against such proposition,*
 3 *the county judge shall enter an order of record declaring that the city, village*
 4 *or town has abandoned this Act and shall file a copy of such order in the office*
 5 *of the Secretary of State and thereafter the same provisions of law with regard*
 6 *to elections shall apply to such city, village or town, as would apply if it had*
 7 *never adopted this Act.*



- 1 Introduced by Mr. Harry Wilson, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 25 of "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 25 of "An Act to revise the law
3 in relation to counties," approved and in force March 31, 1874, as amended, is
4 amended to read as follows:

Sec. 25. The county boards of the several counties shall have the power

2 First—To take and have the care and custody of all the real and personal
3 estate owned by the county.

4 Second—To manage the county funds and county business except as other-
5 wise specifically provided.

6 Third—To examine and settle all accounts against the county, and all ac-
7 counts concerning the receipts and expenditures of the county.

8 Fourth—To cause to be erected, or otherwise provided, a suitable work-
9 house, in which persons convicted of offenses punishable by imprisonment in

10 the county jail may be confined and employed, and to make rules and regula-
 11 tions for the management thereof. They may contract for the use of the city
 12 workhouse when the same can satisfactorily be done.

13 Fifth—To cause to be erected, or otherwise provided, suitable buildings
 14 for, and maintain, a county insane asylum, and provide for the management of
 15 the same.

16 Sixth—To cause to be annually levied and collected, taxes for county pur-
 17 poses, including all purposes for which money may be raised by the county by
 18 taxation, not exceeding *seventy-five cents (75c)* on the one hundred dollars' val-
 19 uation, and in addition thereto an annual tax not exceeding sixty-six and two-
 20 thirds cents ($66\frac{2}{3}c$) on the one hundred dollars for the purposes of paying
 21 the interest and principal of indebtedness which existed at the time of the adop-
 22 tion of the Constitution.

23 Seventh—To authorize the vacation of any town plat when the same is not
 24 within any incorporated town, village or city, on the petition of two-thirds of
 25 the owners thereof.

26 Eighth—To change the name of any town plat on the petition of a major-
 27 ity of the legal voters residing therein when the inhabitants thereof have not
 28 become a body corporate.

29 Ninth—To cause to be erected, or otherwise provided and maintained, all
 30 suitable buildings for a sanitarium for the care and treatment of all persons
 31 suffering from tuberculosis who may be admitted to said sanitarium by, or
 32 under the direction of said board, and to provide for the maintenance and
 33 management of the same.

34 Tenth—To provide, by resolution, that any map, plat or subdivision of any
 35 block, lot or sub-lot or any part thereof or any piece or parcel of land, not being
 36 within any city, village or incorporated town, in which any dedication of land
 37 for highways, streets or alleys shall be made, shall be submitted to the county
 38 board or to some officer to be designated by such county board for their or his
 39 approval; and in such cases no such map, plat or subdivision shall be entitled
 40 to record in the proper county or have any validity until it shall have been so
 41 approved.



- 1 Introduced by Mr. Thomas Curran, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act entitled an Act to secure the solvency of Insurance companies transacting Workmen's Compensation Insurance and to provide for the supervision and regulation of rates and rate making for such insurance.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Trade and Commerce
3 herein called the "department" shall have supervision and regulation of the
4 rates charged for Workmen's Compensation Insurance, herein called "com-
5 pensation insurance," upon any risk in this State. Re-insurance and retroces-
6 sion are excluded from the provisions of this Act. The Industrial Commission
7 and every other department, board, commission or officer of this State shall
8 furnish to said department upon its request any information, aid or assistance
9 which it may deem necessary in the discharge of the duties hereby imposed.

Sec. 2. Every insurance corporation, reciprocal or inter-insurance ex-
2 change, or other insurer, public or private, herein called "insurer," transacting
3 the business of compensation insurance in this State shall be a member of the

4 compensation rating bureau herein provided, and such bureau shall admit to
 5 membership any insurer authorized to transact any compensation insurance in
 6 this State. Employers making payments directly to employes as authorized
 7 under any law of this State relating to workmen's compensation are not included
 8 as insurers under this Act, but the case of each such employer may be referred
 9 by the Industrial Commission to the Department, which shall promptly make
 10 or cause to be made, at the expense of such employer, an inspection of the
 11 premises, and report to said Industrial Commission upon the hazards and liabili-
 12 ties to be assumed in such case.

Sec. 3. The department shall fix the time and place for the first meeting of
 2 representatives of such insurers to organize the bureau, which meeting shall
 3 be held within thirty days after the taking effect of this Act. The department
 4 shall give notice thereof to each such insurer at least ten days before such
 5 meeting. At all meetings of the members each member shall be entitled to one
 6 vote. The bureau shall be governed by and shall conduct its business through
 7 a board of six directors. Two directors shall be selected by "stock members"
 8 consisting of insurance companies with capital stock, two directors shall be
 9 selected by "mutual members" consisting of all other insurers, one director rep-
 10 resenting employers operating under the workmen's compensation Act shall
 11 be selected by the employer members of the Industrial Commission, and one
 12 director representing employees operating under the workmen's compensation
 13 Act shall be selected by the employee members of the Industrial Commission.
 14 Each director shall hold office for one year and until his successor is selected as
 15 provided above. Vacancies shall be filled in like manner. Any action by the
 16 board shall require a two-thirds vote. Upon each committee equal representa-
 17 tion shall be given to the "stock members" and the "mutual members," who
 18 shall each respectively choose their own representatives as provided in the by-
 19 laws. The bureau shall adopt such articles and by-laws and shall make such
 20 amendments thereto as it shall deem necessary, and a copy of such articles and

21 by-laws and all amendments thereto shall be filed promptly with said depart-
22 ment. No such articles, by-laws or amendments thereto shall be in effect fol-
23 lowing a written order of disapproval by the department made after due notice
24 and hearing.

Sec. 4. The board shall annually elect a manager, who shall conduct the
2 business of the bureau as the board may direct. The director of Trade and Com-
3 merce, herein called "director" or a salaried deputy or salaried employee of the
4 department versed in compensation insurance, designated by said director,
5 shall act as chairman of the board and shall be entitled to attend all meetings
6 the members, the board and the committees. The expenses of such bureau other
7 than salaries and expenses of any Department representative, shall be borne
8 and paid by the members, and shall be equitably apportioned and collected as
9 provided in the by-laws and approved by the department.

Sec. 5. Such bureau shall make and fix adequate and reasonable rates to be
2 charged and paid for compensation insurance upon all classes of risks in this
3 State. The bureau shall adopt and keep on file its classification of risks, and
4 may adopt a system of schedule rating or of experience rating, or both, which
5 shall be filed with the department and shall not be in effect until approved by it.
6 No other classification shall be used. The bureau shall make and keep on file
7 necessary changes in classification and such additional surveys as may be neces-
8 sary for the proper rating or re-rating of all risks in this State.

Sec. 6. The bureau shall promptly make such inspections as it may deem
2 necessary, or as the department may order for the purpose of assigning each
3 risk to its proper class, and in the absence of such assignment by the bureau
4 each insurer shall assign such risk to its proper class, and report such assign-
5 ment to the bureau. The bureau shall as far as practicable inspect and make
6 and keep on file a written survey of each risk to which the system of rating is
7 applicable. Such written survey shall show the charges and credits, if any, and
8 give the location and description of all items occasioning charges and credits,

9 and shall show all other facts material in determining the rate upon such risk.
10 No such rates shall be in effect until approved by the department, which may
11 withdraw its approval at any time. If the department shall fail to act within
12 thirty days from the filing of any rate by the bureau, such rate shall be deemed
13 approved. The premium rates so fixed shall be kept on file by said bureau, and
14 notice thereof and of any changes therein shall be given to all members without
15 discrimination. No such compensation insurance shall be issued on any risk in
16 this State, nor shall any premium or other payment thereon be collected, at a rate
17 other than the rate so fixed and on file with the said bureau, subject to rate ad-
18 justments herein provided; except that an increased rate may be charged and
19 collected for special inspection or other service rendered at the request of the
20 insured, if a statement of such special service and increased rate is filed with
21 the bureau. No member shall, directly or indirectly, vary from said rates or
22 discriminate therein between insured having risks of the same degree of hazard
23 or give or promise any rebate of any premium or payment for any such insur-
24 ance; provided, that this shall not prevent the making of a refund or return
25 of gains or savings from surplus by participating companies or associations;
26 and provided that such companies or associations shall file with the depart-
27 ment at the time of submitting the annual report required by law, a statement
28 of such gains or savings and the method of their distribution during the preced-
29 ing calendar year.

Sec. 7. The department shall supervise and the bureau shall adopt by-laws
2 regulating the collection and payment of premiums upon all compensation in-
3 surance, including the making of periodical audits and collections by the in-
4 surers where the amount of insurance and premium payments cannot be deter-
5 mined in advance, and all members shall comply with such regulations and with
6 the orders of the department in relation thereto.

Sec. 8. Until otherwise fixed by said bureau under this Act the rates in
2 force under each policy upon each risk in this State shall, as to each insurer

3 issuing such policy or making such rate, be the rate in force upon such risk as
4 to such insurer, provided that no policy in force prior to the effective date of
5 this Act shall be continued in force beyond one year from the effective date of
6 this Act nor beyond the date of expiration originally fixed in the policy except
7 at rates approved by and on file with said bureau, as defined in Section 6 of
8 this Act.

Sec. 9. Each member shall furnish to such bureau, so far as it shall
2 affect the performance of the duties of the bureau, any and all information
3 which the bureau may require relating to any and all business transacted by
4 such member within or without this State, and the insurer under any insurance
5 effected by such insurer within this State shall in like manner furnish to said
6 bureau any information required by the bureau for the purpose of transacting
7 the business and performing the duties required by this Act.

Sec. 10. The department shall gather, accumulate, compile and analyze
2 such material and data as may be necessary or convenient in and for the deter-
3 mination of such pure premiums and loadings for expenses and rates generally
4 for compensation insurance and the department may require the bureau to per-
5 form any or all such work and make such reports thereof as such department
6 may find necessary. All material and data so accumulated shall belong to the
7 office of the department and constitute a public record and be subject to its
8 direction and control.

Sec. 11. Any insured in this State shall be entitled on his written request
2 and the payment of such reasonable charges as may be fixed by the bureau, to a
3 copy of any survey of his risk made by such bureau. Any person affected by
4 any act of the manager of such bureau shall be entitled, after filing written
5 objections with such manager, to a hearing before the board under such reason-
6 able rules and regulations as may be fixed by such bureau with the approval
7 of said department.

Sec. 12. Any person affected by any order, act or omission on the part of
 2 such bureau may appeal therefrom to the department, which shall give such
 3 hearing thereon as herein provided and make such order as the case may re-
 4 quire. Such order shall be subject to review as provided in the following sec-
 5 tion, but no appeal shall stay the taking effect of an order or decision thereto-
 6 fore made, unless so ordered by the manager or board making such order, or by
 7 the department, or by the court having jurisdiction of such appeal.

Sec. 13. The department shall have power to give notice of and hold hear-
 2 ing upon any question relating to the supervision and regulation of such rating
 3 bureau, and, in the review of any rate or of any regulation adopted by such
 4 bureau and in any such hearings, shall have power to summon and compel the
 5 attendance of witnesses and the production of testimony, and to employ stenog-
 6 raphers to take, transcribe and preserve such testimony, and to fix and order
 7 such change of any rate, schedule, practice or regulation as may be just and
 8 reasonable. The department shall keep full and true records of its proceed-
 9 ings and of all orders made therein. The costs and expenses in all such proceed-
 10 ings, other than salaries and expenses of any department representative, shall
 11 be borne and paid by the bureau. Any salaried deputy or employee of the de-
 12 partment versed in compensation insurance, appointed in writing by the
 13 director for that purpose, shall have and may exercise all the powers of said
 14 director under this Act, but no final determination of the question on which
 15 such hearing is had shall be made except by order of said director. Any final
 16 order made by said director in any such proceeding may, on application of any
 17 corporation, association or person affected thereby, not later than thirty days
 18 after receipt of written notice thereof, be reviewed by and upon an appeal to
 19 the circuit court for the county in which the office of said director is located.
 20 Such appeal shall be heard summarily by said court, under such rules as it may
 21 fix, but no testimony in addition to or different from that produced on the hear-
 22 ing before the said director shall be heard by said court, but if the court shall be
 23 satisfied that any party desires to offer material testimony on addition to or

24 different from that produced on the hearing before said director, the record shall
25 be remanded to said director, who shall proceed to take and hear such additional
26 testimony as may be offered and make such further order thereon as the case
27 may require, subject to further proceedings in said court or to another appeal as
28 herein provided. Such hearings, proceedings, orders and appeals shall in other
29 respects, so far as possible, be governed by the provisions of law relative to
30 hearings, proceedings, orders and appeals from orders of said director or other
31 departments or commissions of this State.

Sec. 14. Any corporation, company or association wilfully violating this
2 Act or failing to comply therewith may be punished by a fine of not less than
3 twenty-five dollars nor more than one thousand dollars, and any officer, director,
4 agent, or employee of such corporation, company or association and any
5 other person wilfully violating this Act may be punished by a fine of not less
6 than ten ollars nor more than five hundred dollars. In case of a continued
7 violation, each day's violation shall constitute a separate offense. In addition
8 to the aforesaid penalty, the license of any member to do business in this State
9 may be suspended by said director for not exceeding ninety days for each viola-
10 tion of this Act.



- 1 Introduced by Mr. Young, April 6, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to authorize boards of education in cities having a population exceeding 100,000 inhabitants to issue certificates of indebtedness redeemable by warrants issued in anticipation of taxes during the first half of the year 1921.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* That during the first half of the year
- 3 1921 boards of education in cities having a population exceeding 100,000 inhab-
- 4 itants shall have and they are hereby given power and authority to request the
- 5 city council to issue certificates of indebtedness which shall be redeemable by
- 6 warrants issued in anticipation of taxes levied for the year 1921 to the extent
- 7 of one-half of the appropriation for educational purposes for the year 1920, and
- 8 it shall be the duty of the city council thereupon to direct the issuance of such cer-
- 9 tificates of indebtedness redeemable as aforesaid.
- 10 Wherefore an emergency exists, therefore this Act shall be in full force and
- 11 effect from and after its passage.



- 1 Introduced by Committee on Judiciary, April 7, 1921.
- 2 Read at large a first time, ordered printed, and to a second reading.

A BILL

For an Act to amend Section 2 of "An Act to license and regulate the business of making loans in sums of three hundred dollars (\$300) or less, secured or unsecured, at a greater rate of interest than seven (7) per centum per annum, prescribing the rate of interest and charge therefor and penalties for the violation thereof, and regulating the assignment of wages or salaries earned or to be earned, when given as security for any such loan," approved June 14, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 2 of "An Act to license and
3 regulate the business of making loans in sums of three hundred dollars (\$300) or
4 less, secured or unsecured, at a greater rate of interest than seven (7) per cent per
5 annum, prescribing the rate of interest and charge therefor and penalties for the
6 violation thereof, and regulating the assignment of wages or salaries earned or to
7 be earned, when given as security for any such loan," approved June 14, 1917, in
8 force July 1, 1917, is amended, to read as follows:

Sec. 2. Every licensee licensed hereunder may loan any sum of money, goods,
2 or things in action, not exceeding in amount or value the sum of three hundred
3 dollars (\$300), and may charge, contract for and receive thereon interest at a rate
4 not to exceed two and one-half (2½) per centum per month.

5 Interest shall not be payable in advance or compounded and shall be com-
6 puted on unpaid balances. In addition to the interest herein provided for, no fur-
7 ther or other charge, or amount whatsoever for any examination, service, broker-
8 age, commission, attorney fee (except for foreclosure or entry of judgment), and
9 in no case shall a greater amount be allowed as attorney fee than is evidenced by
10 10 per cent of the amount found to be due or other thing, shall be directly or indi-
11 rectly charged, contracted for or received, except the lawful fees if any actually
12 and necessarily paid out by the licensee to any public officer for filing or record-
13 ing in any public office any instrument securing the loan which fees may be col-
14 lected when the loan is made or at any time thereafter.

15 If interest or charges in excess of those permitted by this Act shall be
16 charged, contracted for or received by any licensee, the contract of loan shall be
17 void and the licensee shall have no right to collect or receive any principal or
18 charges whatsoever.

19 No person shall owe any licensee at any time more than three hundred (\$300)
20 for principal.



- 1 Introduced by Mr. Frank Ryan (by request), April 7, 1921.
- 2 Read by title, ordered printed, and referred to Committee on License and Miscellaneous.

A BILL

To establish a State Athletic Commission and to regulate boxing and sparring.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there shall hereafter be a State
3 commission to be known as the State Athletic Commission of Illinois which shall
4 be composed of five members, who shall, within thirty days from the time that
5 this Bill shall take effect, be appointed by the Governor, and who shall hold office
6 for the respective terms as follows, and until their successors shall be appointed
7 and qualified: Two for a term of two years, two for a term of four years, and
8 one for a term of six years. Upon expiration of their respective terms, their
9 successors shall be appointed for a term of six years by the Governor, and all
10 vacancies on said commission shall be filled by the Governor for the unexpired
11 portion of the term thereof; and the Governor shall have power to remove and
12 commissioner or commissioners at will without assigning any cause therefor:
13 *Provided*, no person interested in any way financially or otherwise, in any

14 clubs, organization, or corporation, the main object of which is the holding or
15 giving of boxing, or sparring exhibitions, shall be eligible to appointment on
16 such commission. The said commission shall maintain offices for the transaction
17 of its business in the seat of government in the City of Springfield, and the Secre-
18 tary of State shall provide suitable offices therefor. The commission may hold
19 meetings at any place other than the place in which the general office is located,
20 when the convenience of the parties so requires.

Sec. 2. The said commission shall, within thirty days after its appointment,
2 organize by appointing one of their number chairman of the commission for a
3 term of two years but not to exceed his term as commissioner. The said com-
4 mission shall adopt a seal and make such rules and regulations for the adminis-
5 tration of their office and the transaction of its business as they may deem ex-
6 pedient, including rules and regulations, governing boxing and sparring not
7 inconsistent herewith, and may from time to time amend such rules and regula-
8 tions as it may deem expedient. Three members of such commission shall con-
9 stitute a quorum for the transaction of its business.

Sec. 3. The said commission may appoint and may remove a secretary
2 to the commission, whose duty it shall be to keep a full and true record of all
3 the proceedings of the commission, and preserve at its general office all its books,
4 documents and papers and to perform such other duties as the commission may
5 from time to time prescribe and he shall under the direction of said commission
6 issue subpoenas for the attendance of witnesses before the said commission with
7 the same effect as if they were issued in an action of the Circuit Court. The Sec-
8 retary to said commission shall receive a salary of five thousand dollars per
9 annum and shall furnish a bond to the State of Illinois in the penal sum of two
10 thousand dollars with good and sufficient sureties to be approved by the commis-
11 sion for the faithful performance of his duties as such secretary. The secretary
12 to the said commission shall devote his undivided services in the performance of

13 his duties as such secretary. The commission shall make and is hereby empow-
14 ered to appoint such assistants and clerks as may be deemed necessary for the
15 proper transaction of its business, and the salaries of the employes of the said
16 commission shall be fixed by the said commission with the approval of the Gov-
17 ernor.

Sec. 4. Each of said commissioners shall serve without compensation, but
2 they shall be allowed necessary expenses for traveling and other incidentals.

Sec. 5. The salaries as provided herein shall be paid by the State Treas-
2 urer upon vouchers signed by the chairman of said commission and attested by
3 the secretary thereof, properly drawn on the State Auditor of Public Accounts.
4 The said commission shall make an annual report of all its proceedings to the
5 Governor on or before the thirty-first day of December of each year together
6 with such recommendations as the said commission in its judgment pertaining
7 to its affairs shall deem advisable.

Sec. 6. Each of said commissioners shall have power to administer oaths
2 in all matters pertaining to the duties of said commission; and every person,
3 having taken an oath or made affirmation before a commissioner, shall swear or
4 affirm, wilfully, correctly and falsely, shall be guilty of perjury, and upon con-
5 viction shall be punished accordingly.

Sec. 7. No boxing or sparring exhibitions shall be conducted by any club
2 or organization except by license issued to such club or organization by the *State*
3 *Athletic Commission of Illinois*; and no club or organization shall be entitled to
4 receive a state license unless it has been incorporated under the laws of the
5 State of Illinois; and provided further that the membership of such club or or-
6 ganization shall not be less than one hundred persons who have been continuous
7 residents in this state not less than one year. The application for a license as
8 herein provided, shall be in writing and shall be addressed to the commission
9 and shall be verified by some officer of the club, organization or corporation,

10 on whose behalf the application may be made. Such application shall be accom-
11 panied by an annual fee which shall be twenty-five dollars in cities of not more
12 than five thousand inhabitants; fifty dollars in cities of not more than fifty thous-
13 and inhabitants; and one hundred dollars in cities of not more than seventy-five
14 thousand inhabitants; and three hundred dollars in all cities of the State having
15 a population of over one hundred and fifty thousand inhabitants. Before any
16 such license is granted to any club, organization or corporation, which shall have
17 file its application as herein provided, such applicant must file a bond in the penal
18 sum of two thousand dollars with good and sufficient surety in the office of the
19 commission, conditioned on the payment of the taxes herein imposed. All licen-
20 ses granted hereunder shall expire on the thirty-first day of December in each
21 year, provided that no license fee shall be required under this Act for contests
22 or exhibitions held or given by universities, schools or colleges. All clubs, or-
23 ganizations or corporations granted a license hereunder must obtain a separate
24 permit from the commission before holding any boxing or sparring exhibition.
25 Said permit to be issued and granted only upon payment of fee which shall be as
26 follows:

27 1. Fifty dollars (\$50.00) where the hall, room or place in which any boxing
28 or sparring match or exhibition is given has a seating capacity of two hundred
29 or less.

30 2. One hundred dollars (\$100.00) where the seating capacity of said above
31 mentioned place of exhibition is more than two two hundred and not over five
32 hundred;

33 3. Two hundred fifty dollars (\$250.00) where the seating capacity of said
34 above mentioned place of exhibition is more than five hundred and not over one
35 thousand;

36 4. Five hundred dollars (\$500.00) where the seating capacity of said above
37 mentioned place of exhibition is more than one thousand and not over two
38 thousand;

39 5. One thousand dollars where the seating capacity of said above mentioned
40 place of exhibition is over two thousand;

Sec. 8. No license shall be issued to any person or persons who are not citizens of the United States and who have not been legal residents of the State of Illinois for at least twelve months immediately prior to the date of the application therefor.

Sec. 9. Every club, corporation or association which may hold or exercise any of the privileges under this Act shall, within twenty-four hours after the determination of every contest, furnish to the said commission a written report, duly verified by one of its officers, showing the number of tickets sold for such contest, and the amount of gross proceeds thereof, and such other matters as the commission may prescribe; and shall also within said time, pay to the said commission a tax of five per cent of its total gross receipts from the sale of tickets of admission to such boxing or sparring match or its exhibition.

Sec. 10. Whenever amateur boxing and sparring matches or exhibitions are held under the auspices or sanction of the Young Men's Christian Association, the Central Amateur Athletic Union or any other properly organized or duly recognized amateur athletic association, or any organization of persons who were engaged in the military or naval service of the United States during the years 1861, 1862, 1863, 1864, 1865, 1898, 1899, 1900, 1901, 1902, 1914, 1915, 1916, 1917, 1918 or 1919, and who were honorably discharged therefrom, the license fee and permit fee necessary under this Act shall not be required of such organization; such matches and exhibitions shall, however, be subject to all the other provisions of this Act and the rules and regulations of this commission.

Sec. 11. The commission shall appoint official representatives designated as "inspectors" each of whom shall receive from the commission a card, authorizing him to act as such "inspector" wherever the commission may designate him to act. The commission may, and at least one inspector shall be present at all exhibitions and matches and see that the rules are strictly observed, and an inspector shall be present at the counting up of the gross receipts, and shall imme-

7 diately mail to the commission the official box office statement received by him
8 from the officers of the club.

Sec. 12. It shall be unlawful for any club, organization, corporation or
2 association, receiving a license hereunder to sell or cause to be sold or issue
3 more tickets or invitations purporting to admit to any such match or exhibition
4 or otherwise to admit to the same, more persons than are admissable according
5 to the authorized capacity of the building, or part thereof, actually used there-
6 for.

Sec. 13. No licensee shall hereunder have, directly or indirectly, any
2 financial interest in a boxer or contestant competing on premises owned or
3 leased by the licensee or in which the licensee is otherwise interested. No con-
4 testant in any match or exhibition under this Act shall be paid for services be-
5 fore the same are rendered, and should it be determined by the referee and the
6 commission or its duly authorized representatives that a contestant did not give
7 an honest exhibition of his skill, his services shall not be remunerated.

Sec. 14. At all boxing or sparring matches or exhibitions held hereunder
2 there shall be in attendance, a duly licensed physician whose duty it shall be to
3 observe the physical condition of the boxers and advise the referee with regard
4 thereto. No boxer shall be permitted to enter the ring unless, not more than three
5 hours before, a physician licensed under this Act shall certify in writing that the
6 boxer is physically fit to engage in the proposed contest. The physician's fee as
7 fixed by the commission shall be paid by the licensee conducting the match or ex-
8 hibition.

Sec. 15. All buildings or structures used, or intended to be used, for the
2 purpose of this Act shall be properly ventilated and provided with fire exits
3 and fire escapes, if there need be, and in all manner conform to the laws, ordinan-
4 ces and regulations pertaining to buildings in the city, town or village where
5 situated.

Sec. 16. No smoking will be allowed in the room, hall, place or auditorium where
2 any boxing or sparring matches or exhibitions are to take place during the day
3 of the contest or exhibition. The licensee hereunder will be held responsible
4 for the enforcement of this provision.

Sec. 17. There shall be no betting, wagering or gambling upon the out-
2 come of any contest or any portion thereof or duration thereof, and failure on
3 the part of any person or persons to enforce the provisions of this Act shall
4 be *prima facie* and sufficient cause for the cancellation of any and all licenses.
5 Whoever bets or wagers or sells pools on any boxing or sparring match or exhi-
6 bition shall be guilty of a misdemeanor and shall be punished by a fine of not
7 less than fifty dollars (\$50.00) or by imprisonment for not less than three
8 months, or by both such fine and imprisonment.

Sec 18. No boxing or sparring match or exhibition shall be held on Sunday.

Sec. 19. No intoxicants shall be given away, sold or offered for sale in
2 any building or part thereof, in which boxing or sparring exhibitions are being
3 conducted.

Sec. 20. No decision shall be rendered by the referee in any contest held.
2 under the provisions of this act except that a decision may be given in an ama-
3 teur tournament pursuant to the authority and jurisdiction of the Amateur Ath-
4 letic Union of the United States.

Sec. 21. No contest shall be allowed in which the difference in weight of
2 the respective contestants shall exceed eighteen pounds. This provision shall
3 not apply to boxers in the heavy and lightweight classes.

Sec. 22. No boxing or sparring exhibition shall be of more than fifteen
2 rounds duration and no one round of such exhibition shall be permitted to
3 extend for a longer period than three minutes. There shall be one minute inter-
4 mission between each round.

Sec. 23. No contestant shall in any such boxing or sparring exhibition wear
 2 or be permitted to wear, gloves weighing less than five ounces for contestants
 3 under one hundred and forty pounds, and six ounces for contestants over one
 4 hundred and forty pounds.

Sec. 24. No contestant under the age of eighteen years shall be permitted
 2 to participate in any such boxing or sparring contest.

Sec. 25. Contestants shall break clean, and must not hold and hit. Butting
 2 with head or shoulder, wrestling or illegal use of elbows shall not be allowed.
 3 There shall be no unsportsmanlike conduct on the part of the contestants. This
 4 shall include the use of abusive or insulting language.

Sec. 26. No person under the age of eighteen years shall be permitted to
 2 attend a boxing or sparring exhibition, unless accompanied by his parent or
 3 guardian.

Sec. 27. All contestants shall be required to register with the secretary of
 2 the commission and in all applications for registration shall appear a recital
 3 of the following facts, to-wit: The age, the family and given name; the name
 4 under which the contestant competes; place of birth; place and date of last
 5 competition, together with name of opponent and length of bout and result
 6 of same. Upon receipt of this information, accompanied with a registration fee
 7 of five dollars, a registration card signed by the State Athletic Commission
 8 shall be issued to such applicant: *Provided*, that no registration fee shall be
 9 required of contestants in what is commonly known as preliminaries: *Pro-*
 10 *vided*, no person or persons without such card of registration will be allowed to
 11 compete in any boxing or sparring match, or exhibition held under the provi-
 12 sions of this Act.

Sec. 28. The commission is authorized to grant licenses upon the applica-
 2 tion and the payment of a fee of ten dollars per annum to competent referees,

3 who shall be bona fide residents of the thel State for one year, and who shal
4 give a bond to the State of Illinois in the sum of \$2,000.00, with good and suffi-
5 cient sureties, to be approved by the commission for the faithful performance
6 of duties of such referee and may revoke any license so granted to any such
7 referee upon such cause as the commission shall deem sufficient. The referee
8 must stop the contest or match when either of the contestants shows a marked
9 superiority or is apparently outclassed.

Sec. 29. All corporations, physicians, referees, judges, timekeepers, pro-
2 fessional boxers, their managers, trainers and seconds, shall be licensed by the
3 said commission, and no such corporation or person shall be permitted to partic-
4 ipate, either directly or indirectly, in any such boxing or sparring match or
5 exhibition, or the holding thereof, unless such corporation or persons shall have
6 first procured a license from the said commission.

Sec. 30. Whenever any club, corporation or association shall fail to make
2 a report of any contest at the time prescribed, or whenever such report is un-
3 satisfactory to the commission, the secretary may examine or cause to be exam-
4 ined, the books and records of such club, corporation or association, and subpoena
5 and examine under oath its officers and other person or persons for witnesses for
6 the purpose of determining the total amount of its gross receipts for any con-
7 test and the amount of taxes due, which tax he may, and upon as a result of
8 such examination, fix and determine. In case of a default in the payment of
9 any taxes so adjudged to be due, together with the expenses incurred
10 in making such examination, for a period of twenty days after notice to such
11 delinquent club, corporation or association of the amount, such delinquent club,
12 corporation or association, shall *ipso facto* forfeit its license and shall be there-
13 by disqualified from receiving any new license, or any renewal of its license, and
14 it shall in addition forfeit to the People of the State of Illinois the sum of one
15 thousand dollars (\$1,000) which may be recovered by the Attorney General in
16 the name of the People of the State of Illinois, in the same manner as other
17 penalties are by law recovered.

Sec. 31. Any club, organization or person conducting, holding, giving or participating in any sham or fake boxing or sparring match shall forfeit the license granted hereunder in accordance with the provisions of this section, which shall thereupon be by the commission cancelled and declared void, and shall not thereafter be entitled to receive another such or any license pursuant to the provisions of this section; nor shall any such license be issued to any club or organizations which has among its members any member who belonged to a club or organization which had its license revoked.

Sec. 32. Any persons or person who shall conduct, hold, give or participate in any sham or fake boxing or sparring match shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one thousand dollars, nor more than five thousand dollars, or by imprisonment in the penitentiary for a period of not less than one year, nor more than five years, or both fine and imprisonment.

Sec. 33. The provisions of Sections 235 and 236 of an Act entitled, "An Act to revise the law in the relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, shall not apply to any athletic boxing, or to any boxing or sparring match or exhibition conducted, held or given by any club, corporation or association duly licensed in accordance with the provisions of this Act, or held or given under the supervision of the managers of public playgrounds, gymnasiums, schools, or universities as provided for in Section 17 hereof.

Sec. 34. No license or permit shall be issued by the commission to any club, corporation or association to conduct boxing or sparring exhibitions as herein provided for in any city unless such city shall have consented by ordinance or resolutions by its City Council to the conducting of boxing or sparring exhibitions in such city.

Sec. 35. Nothing in this Act shall in any way be so construed as to give to
2 any one person, club, corporation or association, the right to hold or give boxing
3 or sparring matches or exhibitions in more than one city or in more than one
4 location in any city without written authority and consent of the commission.

Sec. 36. Any person who violates any of the provisions of this Act for
2 which a penalty is not herein expressly prescribed shall be guilty of a misde-
3 meanor and upon conviction thereof shall be punished by a fine not less than
4 twenty-five dollars nor more than one hundred dollars or by imprisonment not
5 less than ninety days.

or e.

July



- 1 Introduced by Mr. Young, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 2 of an Act entitled, “An Act concerning the levy and extension of taxes,” approved May 9, 1901, in force July 1, 1901, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, “An Act concerning the levy and extension of taxes,” approved May 9, 1901, in force July 1, 1901, as subsequently amended, be and the same is hereby further amended to read as follows:

Sec. 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the State Board of Equalization for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however,* that if the aggregate of all taxes (exclusive of State taxes, town-

9 ship taxes, village taxes, levee taxes, public tuberculosis sanitarium taxes, pen-
 10 sion fund taxes, school building taxes, high school taxes, district school taxes and
 11 all other school taxes in school districts having not more than 100,000 inhabit-
 12 ants, road and bridge taxes, and taxes levied for the payment of the principal
 13 of the interest on bonded indebtedness of cities, and for the payment of the prin-
 14 cipal of and the interest on park bonds hereafter issued, and exclusive of taxes
 15 levied pursuant to the mandate or judgment of any court of record on any
 16 bonded indebtedness), certified to be extended against any property in any part
 17 of any taxing district or municipality, shall exceed two per cent of the assessed
 18 valuation thereof upon which the taxes are required to be extended, the rate
 19 per cent of the tax levy of such taxing district or municipality shall be reduced
 20 as follows: The county clerk shall reduce the rate per cent of the tax levy of
 21 such taxing district or municipality in the same proportion in which it would be
 22 necessary to reduce the highest aggregate per cent of all the tax levies (exclusive
 23 of State taxes, township taxes, village taxes, levee taxes, public tuberculosis
 24 sanitarium taxes, pension fund taxes, school building taxes, high school taxes,
 25 district school taxes and all other school taxes in school districts having not
 26 more than 100,000 inhabitants, road and bridge taxes, and taxes levied for the
 27 payment of the principal of the interest on bonded indebtedness of cities, and
 28 for the payment of the principal of and the interest on park bonds hereafter
 29 issued, and exclusive taxes levied pursuant to the mandate or judgment of any
 30 court of record on any bonded indebtedness), certified for extension upon any
 31 of the taxable property in said taxing district or municipality, to bring the same
 32 down to two per cent of the assessed value of said taxable property upon which
 33 said taxes are required by law to be extended: *Provided, further, that in re-*
 34 *ducing tax levies rereunder from the taking effect of this Act to and including*
 35 *the year A. D. 1921 the rate per cent of the tax levy for county purposes in*
 36 *counties having a population of over 300,000 shall not be reduced below a rate*
 37 *of thirty-six and two-thirds cents on each one hundred dollars assessed value*
 38 *(exclusive of levies to pay th eprincipal of and interest on bonded indebtedness*
 39 *and judgments ond Mothers' Pension Fund), and thereafter shall not be reduced*

below a rate of thirty cents on each one hundred dollars assessed value (exclusive of levies to pay the principal and interest on bonded indebtedness, judgments and Mothers' Pension Fund), and in counties having a population of less than 300,000 the rate of the tax levy for county purposes shall not be reduced below a rate of fifty cents on each one hundred dollars assessed value (exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments), and the rate per cent of the tax levy for city or village purposes (exclusive of library, public tuberculosis sanitarium, pension fund, school and park purposes and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness in cities and villages having a population of over 150,000 shall not be reduced below a rate of one dollar and forty-three and one-third cents ($\$1.43\frac{1}{3}$) on each one hundred dollars assessed value, and the rate per cent of the school tax for educational purposes shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for library purposes shall not be reduced below a rate of five and one-third cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for city or village purposes (exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness and judgments) in cities and villages having a population of less than 150,000, shall not be reduced below a rate of one dollar and thirty-three and one-third cents ($\$1.33\frac{1}{3}$) on each one hundred dollars assessed value, and the rate per cent of the school tax levy for educational purposes shall not be reduced below the maximum rate allowed by law and the rate per cent of the tax levy for park purposes in districts organized and existing under an Act entitled, "An Act to provide for the creation of pleasure driveway and park districts," approved June 19, 1893, in force July 1, 1893, shall not be reduced below a rate of forty cents on each one hundred dollars assessed value (exclusive of levies to pay the principal and interest on bonded indebtedness and judgments), and the rate per cent of the tax levy for park purposes in townships of this State, levied under an Act

71 entitled, "An Act authorizing townships to acquire and maintain lands
 72 for park purposes," approved and in force June 23, 1915, as subsequently
 73 amended, shall not be reduced below rate of ten cents (\$0.10) on each one hun-
 74 dred dollars assessed value, but the other taxes which are subject to reduction
 75 under this section shall be subject only to such reduction, respectively, as would
 76 be made therein under this section if this proviso were not inserted herein: *And,*
 77 *provided, further,* in reducing tax levies hereunder, all school taxes levied in
 78 cities exceeding 150,000 inhabitants, with the exception of the levy for school
 79 building purposes, shall be included in the taxes to be reduced.

80 The rate per cent of the tax levy of every county, city, village, town, town-
 81 ship, park district, sanitary district, road district, and other public authorities
 82 (except the State), shall be ascertained and determined (and reduced when nec-
 83 essary as above provided) in the manner hereinbefore specified, and shall then
 84 be extended by the county clerk upon the assessed value of the property subject
 85 thereto (being one-half of the full value thereof) as equalized according to law.
 86 in reducing the rate per cent of any tax levy as hereinbefore provided, the rates
 87 per cent of all tax levies certified to the county clerk for extension as originally
 88 ascertained and determined under section 1 of this Act, shall be used in ascer-
 89 taining the aggregate of all taxes certified to be expended without regard to any
 90 reduction made therein under this section: *Provided,* that no reduction of any
 91 tax levy made hereunder shall diminish any amount appropriated by corporate
 92 or taxing authorities for the payment of the principal or interest on bonded debt
 93 or levied pursuant to the mandate or judgment of any court of record. And to
 94 that end every such taxing body shall certify to the county clerk, with its tax
 95 levy, the amount thereof required for any such purposes.

96 In case of a reduction hereunder any taxing body whose levy is affected
 97 thereby and whose appropriations are required by law to be itemized, may, after
 98 the same have been ascertained, distribute the amount of such reduction among
 99 the items of its appropriations, with the exceptions aforesaid, as it may elect.
 100 If no such election is made within three months after the extension of such tax,
 101 all such items, except as above specified, shall be deemed to be reduced pro rata.



- 1 Introduced by Mr. Baldwin, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act defining the crime of stealing a motor vehicle, providing for the detection of violators thereof and providing for the penalties for violations thereof, and to repeal all other Acts or parts of Acts inconsistent herewith.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Whoever steals, takes or drives away any automobile, motor truck, motor bicycle or other motor vehicle, or receives or buys any such motor vehicle knowing the same to have been stolen, with intent to thereby defraud the owner or any insurance company or other person, or conceals any such motor vehicle knowing the same to have been stolen, shall be deemed guilty of a felony and upon conviction thereof shall be fined not exceeding \$500.00 and imprisoned in the State penitentiary not less than two nor more than fifteen years.*

Sec. 2. *For the purpose of aiding in the detection and apprehension of persons guilty of violating Section 1 of this Act, it is hereby made the duty of each and every person, firm, association, corporation or co-partnership operating a*

4 public garage in this State, to keep for public inspection, a record of the license
 5 numbers and engine numbers of all motor vehicles taken in or held in charge by
 6 said garage for the purpose of selling, rental, livery, storage or repair. Said rec-
 7 ords shall contain the name and address of the owner, the name and address of
 8 the person delivering or taking the motor vehicle to and from the garage, and the
 9 license and engine numbers of the motor vehicle. The alteration or obliteration
 10 of the engine number of any such motor vehicle shall be prima facie evidence of
 11 larceny of said motor vehicle, and the proprietor, agents, servants or employees
 12 of such public garage, immediately upon the discovery of such alteration or oblit-
 13 eration shall notify the sheriff and police officers of the proper county, city, town
 14 or village, where such garage is situated, and shall hold said motor vehicle for a
 15 period of twenty-four hours, or until investigation shall have been made by the
 16 sheriff and police officers: Provided, however, that such record need not be
 17 made when a motor vehicle is taken in or held in charge for regular storage for a
 18 longer period than one (1) week. If, however, such motor vehicle is left for reg-
 19 ular storage for a longer period than one (1) week, but is removed before the end
 20 of one (1) week from the time it is left in such public garage, the record herein
 21 provided shall be made before such motor vehicle is permitted to be removed.

Sec. 3. Any person, firm, association, corporation or co-partnership, who
 2 personally or by agent, violate any of the provisions of Section 2 of this Act,
 3 upon conviction, shall be fined not less than \$100.00 nor more than \$500.00 with
 4 the costs of prosecution and shall stand committed to the county jail until said
 5 fine and costs are paid or otherwise discharged according to law.

Sec. 4. All Acts or parts of Acts inconsistent with this Act are hereby re-
 2 pealed.



- 1 Introduced by Mr. Tice, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to restrict the manufacture, transportation, possession and use of intoxicating liquor, aiding thereby in establishing uniformity in State and Federal laws in regard thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That this Act shall be known and cited as the “Illinois Prohibition Act.”

Sec. 2. When used in this Act, the word “liquor” or the phrase “intoxicating liquor” shall be construed to include alcohol, brandy, whiskey, rum, gin, beer, ale, porter and wine, and in addition thereto any spirituous, vinous, malt, or fermented liquor, liquids and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing one-half of one per centum or more of alcohol by volume which are fit for use for beverage purposes: *Provided*, that the foregoing definition shall not extend to dealcoholized wine nor to any beverage or liquid produced by the process by which beer, ale, porter or wine is produced, if it contains less than one-half of one per centum

10 of alcohol by volume, and is made as prescribed in Section 45 of this Act, and
 11 is otherwise denominated than as beer, ale, or porter, and is contained and sold
 12 in, or from such sealed and labeled bottles, casks, or containers as the Attor-
 13 ney General may by regulation prescribe.

14 (2) The word "person" shall mean and include natural persons, associa-
 15 tions, copartnerships and corporations.

16 (3) The term "application" shall mean a formal written request sup-
 17 ported by a verified statement of facts showing that the Attorney General may
 18 grant the request.

19 (4) The term "permit" shall mean a formal written authorization by the
 20 Attorney General setting forth specifically therein the things that are
 21 authorized.

22 (5) The term "bond" shall mean an obligation authorized or required by
 23 or under this Act or any regulation, executed in such form and for such a penal
 24 sum as may be required by a court, the Attorney General, or prescribed by
 25 regulation.

26 (6) The term "still" wherever used in this Act shall be construed to in-
 27 clude any mechanism, apparatus or device kept or maintained for the purpose
 28 of distilling, making or manufacturing intoxicating liquors, or which by any
 29 process of evaporation, separates alcoholic liquor from grain, molasses, fruit or
 30 any other fermented substance, or that is capable of any such use.

31 (7) The phrase "industrial alcohol" shall be construed to mean that sub-
 32 stance known as ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from
 33 whatever source or whatever processes produced.

34 (8) The term "judge" shall mean judge, justice of the peace or police
 35 magistrate.

Sec. 3. No person shall on or after the date when this Act goes into effect,
 2 manufacture, sell, barter, transport, deliver, furnish or possess any intoxicat-
 3 ing liquor except as authorized in this Act, and all the provisions of this Act

4 shall be liberally construed to the end that the use of intoxicating liquor as a
5 beverage may be prevented.

6 Liquor for nonbeverage purposes and wine for sacramental purposes may
7 be manufactured, purchased, sold, bartered, transported, delivered, furnished
8 and possessed, but only as herein provided, and the Attorney General may,
9 upon application, issue permits therefor: *Provided*, that nothing in this Act
10 shall prohibit the purchase and sale of warehouse receipts covering distilled
11 spirits on deposit in Government bonded warehouses.

 Sec. 4. The articles enumerated in this section shall not, after having been
2 manufactured and prepared for the market, be subject to the provisions of this
3 Act if they correspond with the following descriptions and limitations,
4 namely:

5 (a) Denatured alcohol or denatured rum produced and used as provided
6 by laws and regulations now or hereafter in force.

7 (b) Medicinal preparations manufactured in accordance with formulas
8 prescribed by the United States Pharmacopœia, National Formulary or the
9 American Institute of Homeopathy that are unfit for use for beverage
10 purposes.

11 (c) Patented, patent, and proprietary medicines that are unfit for use for
12 beverage purposes.

13 (d) Toilet, medicinal and antiseptic preparations and solutions that are
14 unfit for beverage purposes.

15 (e) Flavoring extracts and sirups that are unfit for use as a beverage, or
16 for intoxicating beverage purposes.

17 (f) Vinegar and preserved sweet cider.

18 A person who manufactures any of the articles mentioned in this section
19 may purchase and possess alcohol for that purpose, but he shall secure per-
20 mits from the Attorney General to manufacture such articles and to purchase
21 such alcohol, give the bonds, keep the records, and make the reports specified

22 in this Act. No such manufacturer shall sell, use, or dispose of any alcohol
23 otherwise than as an ingredient of the article authorized to be manufactured
24 therefrom. No more alcohol shall be used in the manufacture of any extract,
25 sirup, or the articles named in paragraphs b, c, and d of this section which may
26 be used for beverage purposes than the quantity necessary for extraction or
27 solution of the elements contained therein and for the preservation of the
28 article.

29 Any person who shall knowingly sell any of the articles mentioned in para-
30 graphs a, b, c, and d of this section for beverage purposes, or any extract or
31 sirup for intoxicating beverage purposes; or who shall sell any of the same
32 under circumstances from which the seller might reasonably deduce the inten-
33 tion of the purchaser to use them for such purposes, or shall sell any bev-
34 erage containing one-half of one per centum or more of alcohol by volume
35 in which any extract, sirup, or other article is used as an ingredient, shall be
36 subject to the penalties provided in paragraph (a) of Section 33 of this Act.
37 If the Attorney General shall find, after notice and hearing as provided for in
38 Section 6 of this Act, that any person has sold flavoring extract, sirup, or
39 beverage in violation of this paragraph, he shall notify such person, and any
40 known principal for whom the sale was made, to desist from selling such article;
41 and it shall thereupon be unlawful for a period of one year thereafter for any
42 person so notified to sell any such extract, sirup, or beverage without making
43 an application for, giving a bond, and obtaining a permit so to do, which per-
44 mit may be issued upon such conditions as the Attorney General may deem
45 necessary to prevent such illegal sales, and in addition the Attorney General
46 shall require a record and report of sales: *Provided*, nothing contained in this
47 paragraph shall be construed to apply to the persons absolutely prohibited
48 from selling, as contained in Section 5 hereof.

Sec. 5. No person shall sell, barter, furnish, give away, or possess any of
2 the articles enumerated in paragraphs b, c and d of Section 4 which contain
3 one-half of one per centum or more of alcohol by volume, whether fit or unfit

4 for beverage use, in any restaurant, pool-room, shoe-shining parlor, bowling
5 alley, ice-cream parlor, soft drink establishment or public place where liquid re-
6 freshments of any kind are served: *Provided*, that nothing in this section shall
7 be construed to prohibit the sale of any of the articles enumerated in para-
8 graphs b, c, and d of Section 4, which are unfit for beverage purposes, in a
9 bona fide drug store, bona fide general store, or bona fide grocery store.

10 Persons violating this section shall be subjected to the penalties provided
11 in paragraph (a) of Section 33 of this Act.

Sec. 6. Whenever the Attorney General has reason to believe that any
2 article mentioned in Section 4 does not correspond with the descriptions and
3 limitations therein provided, he shall cause an analysis of said articles to be
4 made, and if, upon such analysis, the Attorney General shall find that said
5 article does not so correspond he shall give not less than fifteen days' notice
6 in writing to the person who is the manufacturer thereof to show cause why
7 said article should not be dealt with as an intoxicating liquor, such notice to
8 be served personally or by registered mail, as the Attorney General may de-
9 termine, and shall specify the time when, the place where, and the name of
10 the agent or official before whom such person is required to appear.

11 If the manufacturer of said article fails to show to the satisfaction of the
12 Attorney General that the article corresponds to the descriptions and limita-
13 tions provided in Section 4 of this Act, his permit to manufacture and sell such
14 article shall be revoked. The manufacturer may by appropriate proceeding
15 in a court of equity have the action of the Attorney General reviewed, and the
16 court may affirm, modify, or reverse the finding of the Attorney General as
17 the facts and law of the case may warrant, and during the pendency of such
18 proceedings may restrain the manufacture, sale or other disposition of such
19 article.

Sec. 7. No one shall manufacture, sell, purchase, transport, or prescribe
2 any liquor without first obtaining a permit from the Attorney General so to do,

3 except that a person may without a permit, purchase and use liquor for medi-
4 cal purposes when prescribed by a physician as herein provided, and except that
5 any person who in the opinion of the Attorney General is conducting a bona fide
6 hospital or sanatorium engaged in the treatment of persons suffering from alco-
7 holism, may, under such rules, regulations, and conditions as the Attorney Gen-
8 eral shall prescribe, purchase and use in accordance with the methods in use in
9 such institutions, liquor, to be administered to the patients of such institution
10 under the direction of a duly qualified physician employed by such institution.

11 All permits to manufacture, prescribe, sell, or transport liquor, may be issued
12 for one year, and shall expire on the 31st day of December next succeeding the
13 issuance thereof: Provided, that the Attorney General may, without formal ap-
14 plication or new bond, extend any permit granted under this Act or laws now in
15 force after August 31st in any year to December 31st of the succeeding year:
16 Provided, further, that permits to purchase liquor for the purpose of manufac-
17 turing or selling as provided in this Act shall not be in force to exceed ninety
18 days from the day of issuance. A permit to purchase liquor for any other pur-
19 pose shall not be in force to exceed thirty days. Permits to purchase liquor shall
20 specify the quantity and kind to be purchased and the purpose for which it is to
21 be used. No permit shall be issued to any person who, within one year prior to
22 the application *therefore* or issuance thereof shall have violated the terms of
23 any permit issued under this Act or any law of the United States regulating
24 traffic in liquor. No permit shall be issued to anyone to sell liquor at retail, un-
25 less the sale is to be made through a registered pharmacist, local registered
26 pharmacist, or registered assistant pharmacist designated in the permit and
27 duly licensed under the laws of this State to compound and dispense medicine
28 prescribed by a duly licensed physician. No one shall be given a permit to pre-
29 scribe liquor unless he is a physician duly licensed to practice medicine in this
30 State and is actively engaged in the practice of such profession in this State.
31 Every permit shall be in writing, dated when issued, and signed by the Attorney
32 General or his authorized agent. It shall give the name and address of the per-

son to whom it is issued and shall designate and limit the acts that are permitted and the time when and place where such acts may be performed. No permit shall be issued until a verified written application shall have been made therefor, setting forth the qualification of the applicant and the purpose for which the liquor is to be used.

The Attorney General may prescribe the form of all permits and applications and the facts to be set forth therein. Before any permit is granted the Attorney General may require a bond in such form as he may prescribe to insure compliance with the terms of the permit and the provisions of this Act: Provided, that no bond shall be for less than \$200.00 nor more than \$3,000.00, the amount to be fixed at the discretion of the Attorney General. The sufficiency of all bonds shall be determined by the Attorney General and may be personal bonds or those of a bonding company in the discretion of the Attorney General. In the event of the refusal by the Attorney General of any application for any permit, provided for in this Act, the applicant may have a review of his decision before a court of equity in the manner provided in Section 6 hereof.

All blanks and forms for applications, returns, permits, prescriptions, etc., which may be required under the provisions of this Act shall, whenever feasible, be similar to the blanks and forms for applications, returns, permits, prescriptions, etc., required by the laws of the United States.

Nothing in this Act shall be held to apply to the manufacture, sale, transportation, possession, or distribution of wine for sacramental purposes, or like religious rites, except Section 7 (save as the same requires a permit to purchase) and Section 10 hereof, and the provisions of this Act prescribing penalties for the violation of either of said sections. No person to whom a permit may be issued to manufacture, transport, or sell wines for sacramental purposes or like religious rites shall sell, barter, exchange, or furnish any such to any person not a rabbi, minister of the gospel, priest, or an officer duly authorized for the purpose by any church or congregation, nor to any such except upon an application duly subscribed by him, which application, authenticated as regulations

63 may prescribe, shall be filed and preserved by the seller. The head of any con-
 64 ference or diocese or other ecclesiastical jurisdiction may designate any rabbi,
 65 minister, or priest to supervise the manufacture of wine to be used for the pur-
 66 poses and rites in this section mentioned, and the person so designated may, in
 67 the discretion of the Attorney General, be granted a permit to supervise such
 68 manufacture.

Sec. 8. No one but a physician holding a permit from the Attorney General
 2 may prescribe liquor. It shall be unlawful to prescribe wine, beer or any alco-
 3 holic malt liquor. And no physician shall prescribe any liquor unless after care-
 4 ful physical examination of the person for whose use such prescription is sought.
 5 Not more than a total quantity of one pint of intoxicating liquor shall be pre-
 6 scribed for use by the same person within any period of ten days and no pre-
 7 scription shall be filled more than once, and no person shall procure or accept
 8 or have filled any prescription for more than one pint of liquor within said period
 9 of ten days. Any registered pharmacist, local registered pharmacist, or reg-
 10 istered assistant pharmacist filling a prescription for liquor shall at the time en-
 11 dorse upon it over his own signature the word "canceled", together with the date
 12 when the liquor was delivered, and then make the same a part of the record that
 13 he is required to keep as herein provided.

14 Every physician who issues a prescription for liquor shall keep a record, al-
 15 phabetically arranged in a book prescribed by the Attorney General which shall
 16 show the date of issue, amount prescribed, to whom issued, the purpose or ail-
 17 ment for which it is to be used and directions for use, stating the amount and
 18 frequency of the dose.

Sec. 9. If at any time there shall be filed with the Attorney General a com-
 2 plaint under oath setting forth facts showing, or if the Attorney General has
 3 reason to believe, that any person who has a permit is not in good faith con-
 4 forming to the provisions of this Act, or has violated the laws of the State
 5 relating to intoxicating liquor, the Attorney General or his agent shall imme-

diately issue an order citing such person to appear before him on a day named not more than thirty and not less than fifteen days from the date of service, upon such permittee of a copy of the citation, which citation shall be accompanied by a copy of such complaint, or in the event that the proceedings be initiated by the Attorney General with statement of the facts constituting the violation charged, at which time a hearing shall be held unless continued for cause. Such hearing shall be held within fifty miles of the place where the offense is alleged to have occurred, unless the parties agree on another place. If it be found that such person has been guilty of wilfully violating any such laws, as charged, or has not in good faith conformed to the provisions of this Act, such permit shall be revoked, and no permit shall be granted to such person within one year thereafter. Should the permit be revoked by the Attorney General, the permittee may have a review of his decision before a court of equity in the manner provided in Section 6 hereof. During the pendency of such action, such permit shall be temporarily revoked.

Sec. 10. No person shall manufacture, purchase for sale, sell, or transport any liquor without making at the time a permanent record thereof showing in detail the amount and kind of liquor manufactured, purchased, sold, or transported, together with the names and addresses of the persons to whom sold, in case of sale, and the consignor and consignee in case of transportation, and the time and place of such manufacture, sale or transportation. The Attorney General may prescribe the form of such record, which shall at all times be open to inspection as in this Act provided.

Sec. 11. All manufacturers and wholesale or retail druggists shall as a part of the records required of them keep a copy of all permits to purchase on which a sale of any liquor is made, and no manufacturer or wholesale druggist shall sell or otherwise dispose of any liquor except at wholesale and only to persons having permits to purchase in such quantities.

Sec. 12. All persons manufacturing liquor for sale under the provisions of
 2 this Act shall securely and permanently attach to every container thereof, as
 3 the same is manufactured, a label stating name of manufacturer, kind and quan-
 4 tity of liquor contained therein, and the date of its manufacture, together with
 5 the number of the permit authorizing the manufacture thereof; and all per-
 6 sons possessing such liquor in wholesale quantities shall securely keep and
 7 maintain such label thereon; and all persons selling at wholesale shall attach to
 8 every package of liquor, when sold, a label setting forth the kind and quantity
 9 of liquor contained therein, by whom manufactured, the date of sale, and the
 10 person to whom sold; which label shall likewise be kept and maintained thereon
 11 until the liquor is used for the purpose for which such sale was authorized.

Sec. 13. It shall be the duty of every carrier to make a record at the place
 2 of shipment of the receipt of any liquor transported, and he shall deliver liquor
 3 only to persons who present to the carrier a verified copy of a permit to pur-
 4 chase which shall be made a part of the carrier's permanent record at the office
 5 from which delivery is made.

6 The agent of the common carrier is hereby authorized to administer the
 7 oath to the consignee in verification of the copy of the permit presented, who,
 8 if not personally known to the agent, shall be identified before the delivery of the
 9 liquor to him. The name and address of the person identifying the consignee
 10 shall be included in the record.

Sec. 14. It shall be unlawful for a person to use or induce any carrier, or
 2 any agent or employee thereof, to carry or ship any package or receptacle con-
 3 taining liquor without notifying the carrier of the true nature and character of
 4 the shipment. No carrier shall transport nor shall any person receive liquor
 5 from a carrier unless there appear on the outside of the package containing
 6 such liquor the following information:

7 Name and address of the consignor or seller, name and address of the con-
 8 signee, kind and quantity of liquor contained therein, and number of the permit

9 to purchase or ship the same, together with the name and address of the person
10 using the permit.

Sec. 15. It shall be unlawful for any consignee to accept or receive any
2 package containing any liquor upon which appears a statement known to him
3 to be false, or for any carrier or other person to consign, ship, transport, or
4 deliver any such package knowing such statement to be false.

Sec. 16. It shall be unlawful to give to any carrier or any officer, agent, or
2 person acting or assuming to act for such carrier an order requiring the delivery
3 to any person of any liquor or package containing liquor consigned to, or pur-
4 porting or claimed to be consigned to a person, when the purpose of the order
5 is to enable any person not an actual bona fide consignee to obtain such liquor.

Sec. 17. It shall be unlawful to advertise anywhere, or by any means or
2 method, liquor, or the manufacture, sale, keeping for sale or furnishing of the
3 same, or where, how, from whom, or at what price the same may be obtained.
4 No one shall permit any sign or billboard containing such advertisement to re-
5 main upon one's premises. But nothing herein shall prohibit manufacturers
6 and wholesale druggists holding permits to sell liquor from furnishing price lists,
7 with descriptions of liquor for sale, to persons permitted to purchase liquor, or
8 from advertising alcohol in business publications or trade journals circulating
9 generally among manufacturers of lawful alcoholic perfumes, toilet prepara-
10 tions, flavoring extracts, medicinal preparations, and like articles: Provided,
11 however, that nothing in this Act shall apply to newspapers published in for-
12 eign countries when mailed to this country.

Sec. 18. It shall be unlawful to advertise, manufacture, sell or possess for
2 sale any utensil, contrivance, machine, preparation, compound, designed, or in-
3 tended for use in the unlawful manufacture of intoxicating liquor.

Sec. 19. No person shall solicit or receive, nor knowingly permit his employees to solicit or receive, from any person any order for liquor or give any information of how liquor may be obtained in violation of this Act.

Sec. 20. Any person who shall be injured in person, property, means of support, or otherwise by any intoxicated person, or by reason of the intoxication of any person, whether resulting in death or not, shall have a right of action against any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication, and in such action such person shall have a right to recover actual and exemplary damages. In case of the death of either party, the action or right of action given by this section shall survive to or against his or her executor or administrator, and the amount so recovered by either wife or child shall be his or her sole and separate property. Such action may be brought in any court of competent jurisdiction. In any case where parents shall be entitled to such damages, either the father or mother may sue alone therefor, but recovery by one of such parents shall be a bar to suit brought by the other.

Sec. 21. Any room, house, building, boat, vehicle, structure, or place where intoxicating liquor is manufactured, sold, kept, or bartered in violation of this Act, and all intoxicating liquor, mash, still or other property kept and used in maintaining the same, is hereby declared to be a common nuisance; a single unlawful sale or barter, or a single act of manufacturing liquor unlawfully shall constitute a nuisance as herein defined. And any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500 or be imprisoned not more than one year, or both. If a person has knowledge or reason to believe that his room, house, building, boat, vehicle, structure, or place is occupied or used for the manufacture or sale of liquor contrary to the provisions of this Act, and suffers the same to be so occupied or used, such room, house, building, boat, vehicle, structure, or place shall be subject to a lien for and may be sold to pay all fines and costs assessed

14 against the person guilty of such nuisance for such violation and any such lien
15 may be enforced by action in any court having jurisdiction.

Sec. 22. Any action to enjoin any nuisance defined in this Act may be
2 brought in the name of the State of Illinois by the Attorney General of the
3 State or by any State's Attorney, City Attorney, or prosecuting attorney of
4 any city, or by any citizen of the county where a nuisance as herein defined
5 exists. Such action shall be brought and tried as an action in equity by the
6 Court, without a jury. If it is made to appear by affidavits or otherwise, to
7 the satisfaction of the court, or judge in vacation, that such nuisance exists, a
8 temporary writ of injunction shall forthwith issue restraining the defendant
9 from conducting or permitting the continuance of such nuisance until the con-
10 clusion of the trial. If a temporary injunction is prayed for, the court may
11 issue an order restraining the defendant and all other persons from removing
12 or in any way interfering with the liquor or fixtures, or other things used in
13 connection with the violation of this Act constituting such nuisance, until the
14 conclusion of the trial.

15 Upon the granting of said temporary injunction and five days' written no-
16 tice being given to the defendant, the court shall set the matter down for a pre-
17 liminary hearing on the question of whether said temporary injunction shall be
18 dissolved or remain in full force until the final hearing of the cause. At such
19 hearing both parties to the action shall have the right to present evidence in
20 the form of affidavits or oral testimony. If the hearing shall be continued at
21 defendant's instance, the temporary writ as prayed for shall be granted as a
22 matter of course.

23 After said hearing for temporary injunction, the court shall dissolve the
24 temporary injunction, if it finds that the injunction was improvidently granted.
25 If the court shall find on such hearing that such nuisance exists, it shall order
26 that said temporary order shall stand; and shall further order that the room
27 or place where such violation occurred shall not be occupied or used for any

28 purpose pending the hearing of the case on its merits, and that the property
29 be held in *status quo*.

30 No bond shall be required in instituting such proceedings.

31 It shall not be necessary for the court to find the property involved was
32 being unlawfully used, as aforesaid, at the time of the hearing. Upon the trial
33 of the cause, on finding that the material allegations of the petition are true,
34 the court shall order that no liquor shall be manufactured, sold, bartered or
35 stored, in such room, house, building, boat, vehicle, structure, or place, or any
36 part thereof. And upon judgment of the court ordering such nuisance to be
37 abated, the court may order that the room, house, building, structure, boat, ve-
38 hicle, or place shall not be occupied or used for one year thereafter; but the
39 court may, in its discretion, permit it to be occupied or used if the owner,
40 lessee, tenant, or occupant thereof shall give bond with sufficient surety, to be
41 approved by the court making the order, in the penal and liquidated sum of not
42 more than Ten Thousand (\$10,000.00) Dollars payable to the People of the
43 State of Illinois, and conditioned that intoxicating liquor will not thereafter
44 be manufactured, sold, bartered, kept, or otherwise disposed of therein or
45 thereon, and that he will pay all fines, costs, and damages that may be assessed
46 for any violation of this Act upon said property.

47 If the bill as herein provided is filed upon the relation of a citizen, the
48 proceeding shall not be dismissed for want of prosecution, nor upon motion of
49 such relator, unless there is filed with such motion a sworn statement made by
50 such relator and his attorney, setting forth the reasons therefor, and unless
51 such dismissal is approved by the State's attorney in writing or in open court.
52 If the court is of the opinion that such proceeding ought not to be dismissed
53 it may overrule such motion and may enter an order directing the State's at-
54 torney to prosecute such cause to final determination. The cause shall be
55 heard immediately upon issue being joined, and if the hearing is continued be-
56 yond the next term, the court in term time, or a judge in vacation, may permit
57 any citizen of the county consenting thereto to be substituted for the original
58 relator.

59 When any injunction, as herein provided, has been granted, it shall be bind-
60 ing upon the defendant and shall act as an injunction in personam against
61 defendant throughout the State.

Sec. 23. Complete equity jurisdiction is hereby conferred upon all County
2 Courts, concurrent with Circuit Courts, and the Superior Court of Cook County,
3 to hear and determine all injunction cases which may be brought under this Act.

Sec. 24. Any person who shall, with intent to effect a sale of liquor, by
2 himself, his employee, servant, or agent, for himself or any person, company or
3 corporation, keep or carry around on his person, or in a vehicle, or other con-
4 veyance whatever, or leave in a place for another to secure any liquor, or who
5 shall travel to solicit, or solicit, or take, or accept orders for the sale, shipment,
6 or delivery of liquor in violation of this Act is guilty of a nuisance and may
7 be restrained by injunction, temporary and permanent, for doing or continuing
8 to do any of said acts or things.

9 In such proceedings it shall not be necessary to show any intention on the
10 part of the accused to continue such violation, if the action is brought within
11 sixty days following any such violation of the law.

12 For removing and selling property in enforcing this Act, the officer shall be
13 entitled to charge and receive the same fee as the sheriff of the county would
14 receive for levying upon and selling property under execution, and for closing
15 the premises and keeping them closed a reasonable sum shall be allowed by
16 the court.

17 Any violation of this Act upon any leased premises by the lessee or occu-
18 pant thereof shall, at the option of the lessor, work a forfeiture of the lease.

Sec. 25. In the case of the violation of any injunction, temporary or per-
2 manent, granted pursuant to the provisions of this Act, the court, or in vacation
3 a judge thereof, may summarily try and punish the defendant. The proceedings
4 for punishment for contempt shall be commenced by filing with the clerk of the
5 court from which such injunction issued information under oath setting out the

6 alleged facts constituting the violation, whereupon the court or judge shall
7 forthwith cause a warrant to issue under which the defendant shall be arrested.
8 The trial may be had upon affidavits, or either party may demand the production
9 and oral examination of the witnesses. Any person found guilty of contempt
10 under the provisions of this section shall be punished by a fine of not less than
11 \$500.00 nor more than \$1,000.00 or by imprisonment of not less than ninety days
12 nor more than ten months or by both fine and imprisonment.

Sec. 26. It shall be the duty of the State's Attorney of every county dili-
2 gently to prosecute any and all persons violating any of the provisions of this
3 Act in his county, and he shall be responsible for the proper enforcement of
4 this Act, and whenever he shall have any information of knowledge, or have
5 any reason to believe that any of the provisions of this Act are being violated
6 in this county, he shall use every legitimate means at his command to secure
7 the necessary and proper evidence of such violation, and immediately upon
8 securing such evidence he shall file a complaint or cause a complaint to be
9 filed against any person against whom he shall have any evidence of any such
10 violation, and he shall have said person arrested and shall vigorously prosecute
11 said complaints on said charges to final judgment.

12 In case the existence of any place where intoxicating liquors are manu-
13 factured, sold, kept or bartered, in violation of law is disclosed in any criminal
14 proceedings, it shall be the duty of the State's Attorney to proceed promptly
15 to enforce the provisions of this Act against such place as a nuisance.

16 The Attorney General shall secure the enforcement of all laws of the State
17 having to do with the prohibition of the liquor traffic and shall through his as-
18 sistants, agents, or investigators obtain evidence of violations, shall make, or
19 cause to be made complaints against violators whenever such evidence is se-
20 cured; and when he shall deem it expedient he shall appear through himself
21 or his assistants to prosecute, or aid in the prosecution of cases; and he and
22 his assistants are hereby given authority to sign, verify and file and such com-
23 plaints, affidavits, petitions, indictments and papers required under this Act.

24 But nothing in this Act shall in any way relieve State, county, municipal or oth-
25 er officers from the responsibility of enforcing the laws relating to the liquor
26 traffic.

27 It shall be the duty of all County Boards, and the Board of Commission-
28 ers of Cook County, to lend every possible assistance to the State's Attorneys,
29 Sheriff and other officials in the enforcement of this Act.

Sec. 27. It shall be unlawful for any person to own, operate or maintain, or
2 have in his possession, or any interest in a still, unless he shall first secure a
3 permit from the Attorney General to own such still, which permit shall be kept
4 conspicuously posted at the place where the still is located.

5 Thirty days from the date when this Act shall have become operative are
6 hereby given to persons owning stills to dispose of same or make application
7 for a permit as provided for in this Section.

8 Any person who violates this Section shall, for the first offense, be fined not
9 more than \$200.00 or imprisoned not exceeding six months, or both; and for the
10 second or subsequent offense shall be deemed guilty of a felony and upon con-
11 viction thereof shall be fined not less than \$1,000.00 nor more than \$2,000.00 and
12 confined in the penitentiary for one year.

Sec. 28. It shall be unlawful to have or possess any liquor or property de-
2 signed for the manufacture of liquor intended for use in violating this Act or
3 which has been so used and no property right shall exist in any such liquor or
4 property.

Sec. 29. Whenever complaint is made in writing, verified by affidavit, to
2 any judge, having cognizance of criminal offenses, that complainant has just
3 and reasonable grounds to believe and does believe that intoxicating liquor is
4 manufactured, possessed, kept for sale, used, disposed of, or transported in vio-
5 lation of any law of this State or any mash, still or other property designed
6 for the illegal manufacture of liquor is possessed in any house, building, prem-

ises, boat, vehicle, receptacle or any other place whatsoever (particularly describing and designating the same) with the facts upon which such belief is based, the judge may issue a search warrant as hereinafter provided: Provided, however, no warrant shall be issued to search a private dwelling occupied as such unless such residence is a place of public resort or intoxicating liquor is sold or kept for sale or possessed therein in violation of the law or any mash, still or other property designed for the illegal manufacture of liquor is therein kept. The property seized on any such warrant shall not be taken from the officer seizing the same on any writ of replevin or other like process. Each complaint may be substantially in the following form:

State of Illinois, }
County of..... } ss. Complaint for Search Warrant.

The Complaint and Affidavit of..... (name of complainant) of..... (his residence), made before..... (name of officer), one of the..... (official title of officer), in and for said..... (county, city, or village, as the case may be), on this, the..... day of....., 192.., who, being first duly sworn, upon his oath, says: That he has just and reasonable grounds to believe and does believe that intoxicating liquor is now unlawfully..... (manufactured, kept for sale, possessed, used, disposed of, or transported, or any mash, still or other property designed for the illegal manufacture of liquor is possessed therein as the case may be), to-wit: At and within a certain (here describe the house, building, premises, boat, vehicle receptacle or other place, to be searched, with particulars as to the location sufficiently to identify it, stating the name of the person occupying the same, if known), in the..... (city, village or town) of in the county and State aforesaid; and that the following are the reasons for his belief, to-wit:..... (here insert the facts upon which such belief is based).

36 WHEREFORE, he prays that a search warrant may issue according to
37 law.

38
39 (Signature of Complainant.)

40 SUBSCRIBED AND SWORN TO before me, this.....day of
41, 192...

42
43 (Official Title of Officer.)

44
45 (Official Title of Officer.)

Sec. 30. If the judge before whom any such complaint is made is satis-
2 fied that there is reasonable cause for such belief, he shall issue a warrant di-
3 rected to any peace officer having jurisdiction, whom the complainant may des-
4 ignate, commanding him to forthwith enter the house, building, premises, boat,
5 vehicle, receptacle, or other place therein described and designated (which
6 shall be particularly described and designated in the warrant as in the com-
7 plaint) and make diligent and careful search for intoxicating liquor and if any
8 intoxicating liquor be there found, to seize the same, with the vesels contain-
9 ing the same, and all property, implements, furniture and vehicles kept or
10 used for the purpose of violating or with which to violate, any law of this
11 State or of the United States, and bring the same, and any and all persons (if
12 any there be) in whose possession they are found, before the judge who issued
13 the warrant, or in case of his absence or inability to act, before some other
14 judge having cognizance of the case. Such warrants may be substantially in the
15 following form:

16 State of Illinois, }
17 County of } ss.

18 SEARCH WARRANT.

19 To the people of the State of Illinois:

20 To..... (insert name and official title of officer), in and for
21 (county, city or village, as the case may be), of.....

22, Greeting:

23 WHEREAS, a complaint was this day made, in writing, verified by the
 24 affidavit of..... (official title of officer), in and for said.....
 25 (county, city or village, as the case may be), stating that said complainant
 26 has just and reasonable grounds to believe and does believe that intoxicat-
 27 ing liquor is now unlawfully (manufactured, possessed, kept for sale, used, dis-
 28 posed of, transported, or any mash, still or other property designed for the il-
 29 legal manufacture of liquor is possessed therein, as the case might be), to-wit:
 30 At and within a certain (here copy the full description of the
 31 place to be searched as set forth in the complaint), in the
 32 (city, village or town), of, in the County and State aforesaid, and
 33 from the facts upon which such belief is based as set forth in said complaint,
 34 the undersigned is satisfied that there is reasonable cause for such belief.

35 WE THEREFORE COMMAND YOU, in the name of the People of the
 36 State of Illinois, taking with you the necessary and proper assistance in the
 37 (day or night time, as the case may be), to forthwith enter the
 38 said (house, building, premises, boat, vehicle, receptacle or
 39 other place, as the case may be), hereinabove described, and make diligent and
 40 careful search for intoxicating liquor and seize and bring any and all intoxicat-
 41 ing liquor there found and all vessels containing the same, and all property im-
 42 plements, furniture and vehicles kept or used for the purpose of violating or
 43 with which to violate, any law of this State, there found, and any and all per-
 44 sons (if any there be), in whose possession they are found, forthwith before
 45 me at my office in (insert location), or in case of my absence or
 46 inability to act, before some other judge or justice of the peace having cogniz-
 47 ance of the case, to be dealt with according to law.

48 GIVEN UNDER MY HAND AND SEAL, at my said office, this.....
 49 day of....., 192....

..... (SEAL)

Sec. 31. When any officer of the law shall discover any person in the act of
 2 transporting in violation of the law, intoxicating liquors in any wagon, buggy,

3 automobile, water or air craft, or other vehicle, it shall be his duty to seize any
4 and all intoxicating liquors found therein being transported contrary to law,
5 with or without a warrant. Whenever intoxicating liquors transported or pos-
6 sessed illegally shall be seized by an officer he shall take possession of the
7 vehicle and team or automobile, boat, air or water craft, or any other convey-
8 ance, and shall arrest any person in charge thereof. Such officer shall at once
9 proceed against the person arrested under the provisions of this Act in any
10 court having competent jurisdiction but the said vehicle or conveyance shall
11 be returned to the owner upon execution by him of a good and valid bond, with
12 sufficient sureties, in a sum double the value of the property, which said bond
13 shall be approved by the court having jurisdiction of the case and shall be con-
14 ditioned to return said property to the custody of said officer on the day of the
15 trial to abide the judgment of the court. The court upon conviction of the
16 person arrested so shall order the liquor destroyed. Summons shall issue against
17 the owner of said vehicle or conveyance and all persons holding liens against
18 said property, if they can be found within the jurisdiction of the Court; if not
19 so found, service must be had by publication as provided in Section 46 of this
20 Act.

21 Unless good cause to the contrary is shown the Court shall order a sale by
22 public auction of the property seized, and the officer making the sale, after de-
23 ducting the expense of keeping the property, the fee for the seizure, and the
24 cost of the sale, shall pay all liens, according to their priorities, which are es-
25 tablished, by intervention or otherwise at said hearing or in other proceeding
26 brought for said purpose, as being bona fide and as having been created with-
27 out the lienor having any notice that the carrying vehicle was being used or was
28 to be used for illegal transportation of liquor, and shall pay the balance of the
29 proceeds into the Treasury of the County in which the violation occurred. All
30 liens against property sold under the provisions of this Section shall be trans-
31 ferred from the property to the proceeds of the sale of the property. If, how-
32 ever, no one shall be found claiming the team, vehicle, water or air craft, or

33 automobile, the taking of the same, with a description thereof, shall be adver-
 34 tised in some newspaper published in the city or county where taken or if there
 35 be no newspaper published in such city or county, in a newspaper having cir-
 36 culation in the county, once a week for two weeks and by handbills posted in
 37 three public places near the place of seizure, giving notice to the owner or lien
 38 holder of said property shall not be sold. And if no claimant shall appear with-
 39 in ten days after the last publication of the advertisement, the property shall
 40 be sold and the proceeds after deducting the expenses and costs shall be paid
 41 into the Treasury of the County in which the violation occurred.

Sec. 32. In all cases in which intoxicating liquors may be subject to be de-
 2 stroyed under the provisions of this Act, the court shall have jurisdiction upon
 3 the application of the State's Attorney to order them delivered to any department
 4 or agency of the State for medicinal, mechanical, or scientific uses, or to
 5 order the same sold at private sale for such purposes to any person having a per-
 6 mit to purchase liquor, the proceeds to be covered into the Treasury of the county
 7 in which the violation occurred and all liquor heretofore seized in any suit or pro-
 8 ceeding brought for violation of law may likewise be so disposed of, if not
 10 claimed within sixty days from the date this section takes effect.

Sec. 33. (A) Any person who manufactures or sells liquor in violation of
 2 this Act shall for a first offense be fined not less than \$500.00 nor more than
 3 \$1,000.00, and be imprisoned not less than three months nor more than six
 4 months; and for a second or subsequent offense shall be fined not less than
 5 \$1500.00 nor more than \$2500.00 and be imprisoned in the State penitentiary not
 6 less than one year nor more than five years.

7 (B) Any person violating the provisions of any permit, or who makes any
 8 false record or report required by this Act or violates any of the provisions of
 9 this Act, for which offense a special penalty is not prescribed, shall be fined for a
 10 first offense not less than \$200 nor more than \$500.00, or be imprisoned not more
 11 than ninety days; for any subsequent offense he shall be punished by a fine of not

12 less than \$2000.00 and be imprisoned not less than one year nor more than three
13 years. It shall be the duty of the prosecuting officer to ascertain whether the de-
14 fendant has been previously convicted and to plead the prior conviction in the
15 affidavit, information or indictment. The penalties provided in this Act against
16 the manufacture of liquor without a permit shall not apply to a person for manu-
17 facturing non-intoxicating cider and fruit juices exclusively for use in his home,
18 but such cider and fruit juices shall not be sold or delivered except to persons hav-
19 ing permits to manufacture vinegar.

Sec. 34. No person shall be excused on the ground that it may tend to in-
2 criminate him or subject him to a penalty or forfeiture, from attending and testi-
3 fying, or producing books, papers, documents, and other evidence in obedience to
4 a subpoena of any court in any suit or proceeding based upon or growing out of
5 an alleged violation of this Act, but no natural person shall be prosecuted or sub-
6 jected to any penalty or forfeiture for or on account of any transaction, matter, or
7 thing as to which, in obedience to a subpoena and under oath, he may so testify or
8 produce evidence, but no person shall be exempt from prosecution and punish-
9 ment for perjury in so testifying.

Sec. 35. In case of a sale of liquor where the delivery was made by a com-
2 mon or other carrier the sale and delivery shall be deemed to be made in the
3 county wherein the delivery was made by such carrier to the consignee, his agent
4 or employee, or in the county wherein the sale was made, or from which the ship-
5 ment was made, the prosecution for such sale or delivery may be had in any such
6 county.

Sec. 36. Investigators authorized by the Attorney General shall through-
2 out the entire State of Illinois have all the powers and authority vested by law in
3 constables.

Sec. 37. All suits or actions pending under any law in force at the date
2 this Act takes effect, whether on behalf of the People of this State or any person

3 or persons, may be prosecuted to final judgment and such judgment shall be en-
 4 forced in like manner and with the same effect as though this Act were not
 5 passed, and all rights of action secured to said people or any person or persons
 6 under any existing law, are hereby preserved.

Sec. 38. All cities and villages shall have full power to make ordinances
 2 embracing such provisions of this Act as are applicable, and further to prohibit
 3 the manufacture, giving away, dispensing, selling, bartering, delivering, furnish-
 4 ing, possessing, keeping, purchasing, storing, advertising or exposing for sale,
 5 of intoxicating liquor for any purpose whatsoever.

6 No permit nor other authority to manufacture, store, sell, prescribe, or
 7 otherwise deal in the beverages or liquors for which a permit or other authority
 8 is required by this Act shall be issued to any person, or place, within the juris-
 9 diction of any city or village which has duly enacted an ordinance prohibiting
 10 such Act or Acts; and any such permit shall become void upon the taking effect
 11 of such an ordinance.

Sec. 39. In any affidavit, information, or indictment for the violation of
 2 this Act, separate offenses may be united in separate counts and the defendant
 3 may be tried on all at one trial and the penalty for all offenses may be imposed.
 4 It shall not be necessary in any affidavit, information or indictment to give the
 5 name of the purchaser or to include any defensive negative averments, but it
 6 shall be sufficient to state that the Act complained of was then and there pro-
 7 hibited and unlawful, but this provision shall not be construed to preclude the
 8 trial court from directing and furnishing the defendant a bill of particulars when
 9 it deems it proper to do so.

Sec. 40. After the going into effect of this Act, the possession of liquors
 2 by any person not legally permitted under this Act to possess liquor shall be
 3 prima facie evidence that such liquor is kept for the purpose of being sold, bar-
 4 tered, exchanged, given away, furnished, or otherwise disposed of in violation
 5 of the provisions of this Act. It shall not be unlawful to possess liquors in one's

6 private dwelling while the same is occupied and used by him as his dwelling only.
7 *provided* such liquors were lawfully acquired and are for use only for the per-
8 sonal consumption of the owner thereof and his family residing in such dwelling
9 and of his bona fide guests when entertained by him therein; and the burden of
10 proof shall be upon the possessor in any action concerning the same to prove
11 that such liquor was lawfully acquired, possessed and used.

Sec. 41. All records and reports kept or filed under the provisions of this
2 Act shall be subject to inspection at any reasonable hour by any public prose-
3 cutor or by any person designated by him, or by any peace officer in the State,
4 and copies of such records and reports duly certified by the person with whom
5 kept or filed may be introduced in evidence with like effect as the original
6 thereof, and verified copies of such records shall be furnished to the Attorney
7 General or State's Attorney when called for.

Sec. 42. It shall be the duty of all municipal officials to co-operate in the
2 enforcement of this Act.

3 If any sheriff, deputy sheriff, chief of police, marshal, policeman, constable
4 or other peace officer shall have knowledge, information or suspicion of any vio-
5 lation of any provision of this Act, he shall diligently investigate and secure
6 evidence of the same and shall, before the proper officer, make and sign com-
7 plaint against the offending person, anything in the ordinance or by-laws of any
8 municipality to the contrary notwithstanding.

Sec. 43. If any provision of this Act shall be held invalid, it shall not be
2 construed to invalidate other provisions of the Act.

Sec. 44. Nothing herein shall prevent the storage in United States bonded
2 warehouses of liquor manufactured prior to January 17, 1920, or prevent the
3 transportation of such liquor to such warehouses or to any wholesale druggist
4 for sale to such druggist for purposes not prohibited when the tax is paid, and
5 permits may be issued therefor.

Sec. 45. A manufacturer of any beverage containing less than one-half of one per centum of alcohol by volume may, on making application and giving such bond as the Attorney General shall prescribe, be given a permit to develop in the manufacture thereof by the usual methods of fermentation and fortification or otherwise a liquid such as beer, ale porter, or wine, containing more than one-half of one per centum of alcohol by volume, but before any such liquid is withdrawn from the factory or otherwise disposed of the alcoholic contents thereof shall under such rules and regulations as the Attorney General may prescribe be reduced below such one-half of one per centum of alcohol: Provided, that such liquid may be removed and transported, under bond and under such regulations as the Attorney General may prescribe, from one bonded plant or warehouse to another for the purpose of having the alcohol extracted therefrom. And such liquids may be developed, under permit, by persons other than the manufacturers of beverages containing less than one-half of one per centum of alcohol by volume, and sold to such manufacturers for conversion into such beverages.

In any case where the manufacturer is charged with manufacturing or selling for beverage purposes any malt, vinuous, or fermented liquids containing one-half of one per centum or more of alcohol by volume, or in any case where the manufacturer, having been permitted by the Attorney General to develop a liquid such as ale, beer, porter, or wine containing more than one-half of one per centum of alcohol by volume in the manner and for the purpose herein provided, is charged with failure to reduce the alcoholic content of any such liquid below such one-half of one per centum before withdrawing the same from the factory, then in either such case the burden of proof shall be on such manufacturer to show that such liquid so manufactured, sold, or withdrawn contains less than one-half of one per centum of alcohol by volume. In any suit or proceeding involving the alcoholic content of any beverage, the reasonable expense of analysis of such beverage shall be taxed as costs in the case.

Sec. 46. In all cases wherein the property of any citizen is proceeded against or wherein a judgment affecting it might be rendered, and the citizen is not the

3 one who in person violated the provisions of the law, summons must be issued
4 in due form and served personally, if said person is to be found within the juris-
5 diction of the court.

6 Whenever any complainant or his attorney shall file in the office of the clerk
7 of the court in which his suit is pending, an affidavit showing that any defendant
8 resides or hath gone out of this State, or on due inquiry cannot be found, or is con-
9 cealed within this State, so that process cannot be served upon him, and stating
10 the place of residence of each defendant if known, or that upon diligent inquiry
11 his place of residence cannot be ascertained, the clerk shall cause publication to
12 be made in some newspaper printed in his county, and if there be no newspaper
13 printed in his county, then in the nearest newspaper published in this State, con-
14 taining notice of the pendency of such suit, the names of the parties thereto, the
15 title of the court, and the time and place of the return of summons in the case;
16 and he shall also, within ten days of the first publication of such notice, send a
17 copy thereof by mail, addressed to such defendant whose place of residence is
18 stated in such affidavit. The certificate of the clerk that he has sent such notice
19 in pursuance of this section, shall be evidence.

20 The notice required in the preceding paragraph may be given any time after
21 the commencement of the suit, and shall be published at least once each week for
22 four successive weeks, and no default of proceeding shall be taken against any
23 defendant not served with summons, or a copy of the bill and not appearing, un-
24 less thirty days shall intervene between the first publication as aforesaid, and the
25 first day of the term at which such default or proceeding is proposed to be taken.

Sec. 47. - Any person holding a permit from the government of the United
2 States to operate an industrial alcohol plant or warehouse shall, within at least
3 fifteen days after this Act becomes effective or within three days after receiving
4 any such permit, file duplicate copies thereof with the Attorney General, who,
5 within thirty days after receipt of such copies shall cause an inspection to be
6 made of the premises described in such permit, and, if he finds that said premises
7 conform to the laws of this State, he shall countersign such copies and return one

8 copy to the holder named in the permit which shall be his authority for doing the
 9 Acts specified in said permit within the State of Illinois, and the Attorney Gen-
 10 eral shall retain the other copy on file in his office.

Sec. 48. Whoever operates an industrial alcohol plant or warehouse or a
 2 denaturing plant without complying with the provisions of this Act, or in viola-
 3 tion of the terms of the permit countersigned by the Attorney General, or with-
 4 out complying with all lawful regulations made by the Attorney General in
 5 reference thereto, shall be liable for the first offense to a penalty of not exceed-
 6 ing One Thousand (\$1,000.00) Dollars, or imprisonment not exceeding thirty
 7 days, or both, and for a second or a subsequent offense to a penalty of not less
 8 than one hundred (\$100.00) dollars or more than ten thousand (\$10,000.00)
 9 dollars and to imprisonment of not less than thirty days nor more than one
 10 year, and the Attorney General, after a second or subsequent offense, may re-
 11 fuse for a period of one year thereafter to countersign a permit for the manu-
 12 facture or use of alcohol upon the premises of any person responsible in any
 13 degree for the violation. Any industrial alcohol plant or warehouse operated in
 14 this State without the owner or operator thereof holding a permit from the Fed-
 15 eral Government, duly countersigned by the Attorney General of Illinois, is
 16 hereby declared to be a common nuisance which nuisance shall be abated by pro-
 17 ceedings as provided for in Section 22 of this Act.

Sec. 49. No permit or other authority to manufacture, store, sell, prescribe,
 2 or otherwise deal in the articles, liquors or beverages for which a permit or
 3 other authority is required by this Act shall be issued to, nor countersigned for,
 4 any person not a citizen of the United States, or a corporation incorporated
 5 under the laws of the United States or the several states.



1 Adopted April 21, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 585 by striking out the letter "e" in the word
2 "exide" in line thirty-two (32) on page two (2) of the printed bill and substi-
3 tuting therefor the letter "o".

AMENDMENT NO. 2.

Amend House Bill No. 585 by striking out the latter "t" in the second word
2 in line six (6) of Section twenty-six (26) on page sixteen (16) of the printed bill.

AMENDMENT NO. 3.

Amend House Bill No. 585 by inserting after the word "liquor in line seven
2 (7) on page nineteen (19) of the printed bill the following: "and any mash,
3 still or other property as provided in Section 29."

AMENDMENT NO. 4.

Amend House Bill No. 585 by striking out the words "intoxicating liquor"
2 in line eight (8) on page nineteen (19) of the printed bill.

AMENDMENT NO. 5.

Amend House Bill No. 585 by striking out the words "in case of his absence
2 or inability to act," in line thirteen (13) on page nineteen (19) of the printed
3 bill.

AMENDMENT NO. 6.

Amend House Bill No. 585 by inserting after the word "liquor" in line
 2 forty (40) on page twenty (20) of the printed bill the following: "and any
 3 mash, still or other property hereinabove described."

AMENDMENT NO. 7.

Amend House Bill No. 585 by striking out the word "so" after the word
 2 arrested" in line sixteen (16) on page twenty-one (21) of the printed bill.

AMENDMENT NO. 8.

Amend House Bill No. 585 by inserting after the word "property" in line
 2 thirty-eight (38) on page twenty-two (22) of the printed bill the following: "to
 3 appear in said court and show cause, if any they have, why said property"

AMENDMENT NO. 9.

Amend House Bill No. 585 by inserting after the word "States" in line
 2 fifty-two (52) on page seven (7) of the printed bill the following: "Provided,
 3 that in every case where any prescription, label or record is required to be writ-
 4 ten, or written and kept, or canceled and kept, under this Act, and a like record
 5 or act is required under the laws of the United States, it shall be deemed suffi-
 6 cent for the purposes of this Act, if the person so required to write, or write
 7 and keep, or cancel and keep such prescription, label or record shall comply with
 8 the requirements of the Federal Government in regard thereto: Provided
 9 further, that nothing contained in this paragraph shall be construed to relieve
 10 any such person from the duties imposed by Section 41 hereof, but the provi-
 11 sions of said section are hereby made to expressly apply to every such person
 12 and to all such prescriptions, labels, and records."

AMENDMENT NO. 10.

Amend House Bill No. 585 by striking out all of that portion of Section
 2 seven (7), beginning with the word "Before" in line thirty-nine (39) on page

3 sevene (7) of the printed bill down to and including the word "General" in
4 line forty-six (46) of said page of the printed bill.

AMENDMENT NO. 11.

Amend House Bill No. 585 by striking out the following from line twenty-
2 one (21) on page three (3) of the printed bill: "give the bonds."



- 1 Introduced by Mr. Tice, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to be used in aiding in the enforcement of the provision of "An Act to restrict the manufacture, transportation, possession and use of intoxicating liquor, aiding, thereby in establishing uniformity in State and Federal laws in regard thereto."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be and is hereby appropriated to the Attorney General of Illinois to be used in aiding in the enforcement of the provisions of "An Act to restrict the manufacture, possession and use of intoxicating liquor, aiding thereby in establishing uniformity in State and Federal laws in regard thereto," the sum of one hundred and fifty thousand dollars (\$150,000.00) per annum, or so much thereof as may be necessary, in the following items:

9	For special attorneys.....	\$ 40,000.00
10	For salary and expense for investigators	90,000.00
11	For clerk hire, equipment, stationery, printing and traveling	
12	expenses	20,000.00

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to
2 draw his warrants on the State Treasurer for the above amount, upon the pre-
3 sentation of proper vouchers certified to by the Attorney General and the Treas-
4 urer shall pay the same out of any money in the State Treasury not otherwise ap-
5 propriated.



- 1 Introduced by Mr. Davis, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Public Utility and Transportation.

A BILL

For an Act to amend Section 47 of "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 47 of "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, as amended, is amended to read as follows:

Sec. 47. TELEPHONE AND TELEGRAPH CONNECTIONS.] Whenever the commission, after a hearing had upon its own motion or complaint, shall determine that public convenience and necessity require a physical connection for the establishment of a continuous line of communication between any two or more public utilities for the conveyance of messages or conversations, the commission may, by order, require that such connection be made. If such public utilities do not agree upon the division between them of the cost of such physical connection or connections, the commission shall have authority, after further hearing, to establish such division by supplemental order.

10 *Where there are two telephone companies that have separate telephone*
11 *systems in the same city, village or incorporated town, the commission shall re-*
12 *quire physical connection by at least two lines to be made between the two sys-*
13 *tems for the establishment of a continuous line of communication between the*
14 *two systems; and the commission may permit, after such connections have been*
15 *made, each company to charge a toll fee for calls made over its system from the*
16 *other company's system.*



- 1 Introduced by Mr. Davis, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 8 of “An Act to revise the law in relation to divorce,”
approved March 10, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: Section 8 of “An Act to revise the law in
relation to divorce, approved March 10, 1874, in force July 1, 1874, as amended,
to read as follows:

Sec. 8. If the bill is taken as confessed, the court shall proceed to hear the
cause by examination of witnesses in open court, and in no case of default shall
the court grant a divorce, unless the judge, is satisfied that all proper means have
been taken to notify the defendant of the pendency of the suit, and that the cause
of divorce has been fully proven by reliable witnesses. Whenever the judge is
satisfied that the interests of the defendant require it, the court may order such
additional notice as equity may seem to require.

*If the bill is taken as confessed, it shall be the duty of the State’s Attorney to
investigate the subject matter of the suit, and if there are minor children of the*

10 parties, he shall make investigation concerning the custody and care of such
11 minor children, and make report thereof to the court; in all cases where the de-
12 fendant does not appear, or appears and does not defend in good faith, the
13 State's Attorney shall be empowered to examine witnesses and produce such evi-
14 dence in defense of the suit as he may deem expedient.



- 1 Introduced by Mr. Davis, April 7, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judicial Department and Practice.

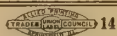
A BILL

For an Act to amend Section 8 of "An Act in relation to courts of records in cities," approved May 10, 1901, in force July 1, 1901, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 8 of "An Act in relation to
3 courts of records in cities," approved May 10, 1901, in force July 1, 1901, as
4 amended, is amended to read as follows:

Sec. 8. The sheriff and Sate's Attorney of the county in which such city
2 may be situated shall each perform the same duties in said court, and in respect
3 thereto, and the process thereof, and have the same power, be subject to the
4 same liabilities and penalties, and be entitled to the same fees as in the Circuit
5 Court of such county; and the sheriff shall appoint one or more deputies for
6 such court, *and the State's Attorney shall appoint one or more assistant State's*
7 *attorneys for such court,* for the convenience of the business therein, who shall

8 reside in city where such court is established, and the judge of such court shall
9 have power to appoint a State's Attorney, pro tempore, in any of the cases
10 where the Circuit Court or judge thereof may appoint.



- 1 Introduced by Mr. Rew (by request), April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For "An Act to promote the general welfare of the people of this State, and declaring the right of the working people of this State to organize into trade and labor union and to act collectively for the purpose of mutual advancing and maintaining their economic, industrial and social conditions, and forbidding interference wuth such activities of the said working people or the said trade and labor unions, or abridgement of the same."

SECTION 1. *Be it enacted by the People of the State of Illinois.*

2 *represented in the General Assembly:* That the labor of a human being is an at-
3 tribute of life, and is not property.

Sec. 2. That the right of the working people of this State to organize into
2 voluntary unincorporated associations of trade and labor unions and to deal col-
3 lectively and to speak through representatives chosen by themselves, for the pur-
4 pose of mutual aid in advancing and maintaining their economic, industrial and
5 social conditions, is inherent and inalienable and shall not be abridged nor inter-
6 fered with by any executive or judicial officer or official of this State nor by any of
7 the processes of writs mentioned in Section 4 hereof.

Sec. 3. It shall be lawful for the working people of this State or any person or persons, either singly or in concert, to terminate any relation of employment or to cease to perform any work or labor; or to recommend, advise or persuade others so to do; or to attend at any place where any such person or persons may be, for the purpose of obtaining or communicating information, or to persuade any person or persons to work or to abstain from work or to cease to patronize or to employ any party to a trade dispute involving or growing out of terms or conditions of employment, or to recommend, advise or persuade others so to do; or to pay or to give to, or to withhold from, any person or persons engaged in any such dispute, any strike benefits or other moneys or things of value; or to assist those so engaged in such disputes, by the payment of benefits or other moneys or things of value; or to assemble for the purpose of discussion, and also to do any act or thing which might lawfully be done in the absence of such dispute by any parties thereto; and it shall be lawful for the working people of this State or for any trade or labor union, or any person or persons, either singly or collectively, to do any of said acts or things, whether such person or persons or such trade or labor unions be directly involved in such dispute or not, and to unite with other trade or labor unions or other organizations of such trade and labor unions in rendering financial, moral or material aid in furtherance of the objects mentioned in this Act.

Sec. 4. No court, tribunal, judge, nor any officer or official of this State, shall, by any process, order, injunction, restraining order, decree or proclamation, abridge or interfere with any of the rights or acts herein declared to be lawful or which are otherwise so.

Sec. 5. The term "dispute" or "trade dispute" means any dispute between employers and workmen or between workmen and workmen which is connected with the employment or non-employment or the terms of the employment or with the conditions of labor of any person, and the term "working people"

5 means all persons employed in trade or industry whether or not in the employ-
6 ment of the employer with whom a dispute arises.

Sec. 6. The invalidity of any portion of this Act shall in no way affect the
2 validity of any other portion thereof which can be given effect without such in-
3 valid part.



- 1 Introduced by Mr. Gregory, April 7, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Waterways.

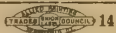
A BILL

For an Act to amend Section 5 of “An Act authorizing the issuance of bonds of the State of Illinois for the construction of ‘The Illinois Waterway’ (including the erection and equipment of power plants, locks, bridges, dams, and appliances), and providing for the payment thereof,” approved June 17, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 5 of “An Act authorizing the issuance of bonds of the State of Illinois for the construction of ‘The Illinois Waterway’ (including the erection and equipment of power plants, locks, bridges, dams, and appliances), and providing for the payment thereof,” approved June 17, 1919, in force July 1, 1919, is amended to read as follows:

Sec. 5. For the purpose of paying the principal and interest of said Illinois Waterway bonds the *Governor*, State Auditor, and *State Treasurer* shall annually at the time and in the manner that other State taxes are levied and

4 certified, levy and certify sufficient taxes amply to provide for such payment;
5 such taxes to be levied, collected and lodged with the State Treasurer in the
6 same manner as are other State taxes.



- 1 Introduced by Mr. O'Grady (by request), April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Waterways.

A BILL

For an Act to amend Section 9 of "An Act to create sanitary districts and to remove obstructions in the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 9 of "An Act to create sanitary districts and to remove obstructions from the Desplaines and Illinois Rivers," approved May 29, 1889, in force July 1, 1889, as amended, is amended to read as follows:*

Sec. 9. The corporation may borrow money for corporate purposes, and may issue bonds therefor, but shall not become indebted in any manner, or for any purpose to an amount in the aggregate to exceed three (3) per centum of the valuation of taxable property therein, to be ascertained by the last assessment for State and County taxes previous to incurring of such indebtedness. *No action of the board of trustees of any sanitary district organized under this Act which provides for or authorizes the issue of bonds (except bonds to refund any exist-*

8 *ing bonded indebtedness) shall become operative, effective or valid until such ac-*
9 *tion shall have been submitted to the voters of such district at the next succed-*
10 *ing general or special election, or at any special election called for that purpose,*
11 *and approved by a majority of such voters voting upon the question. The ques-*
12 *tion shall be submitted in substantially the manner provided by "An Act requir-*
13 *ing cities, villages and incorporated towns to submit certain ordinances authoriz-*
14 *ing the issue of bonds, except to refund any existing bonded indebtedness, to the*
15 *voters of any such city, village or incorporated town," approved June 4, 1909, in*
16 *force July 1, 1909, as amended. The requirements of this Act as to submission*
17 *to and approval by the voters shall not apply to bonds authorized and issued prior*
18 *to July 1, 1922.*



- 1 Introduced by Mr. C. H. Francis, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to set aside a day in the Public Schools to be known as "Temperance Day."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* To commemorate the adoption of the Eighteenth Amendment to the Constitution of the United States, the Sixteenth Day of January of each year (and in case said date does not fall on a school day, then the Friday nearest that date) is hereby designated and set apart as "Temperance Day" in the Public Schools throughout the State of Illinois.

Sec. 2. It shall be the duty of the State Superintendent of Public Instruction to outline and send to all schools under State control, or supported wholly or in part by public money, and also in all schools connected with reformatory institutions, a program of approximately two hours' duration to be used on "Temperance Day." This program shall be arranged and carried out to accomplish the following purposes:

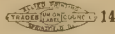
7 (a) To stimulate scientific investigation, instruction and interest in the
8 effects of alcoholic liquor drinking on the human system;

9 (b) To demonstrate the need of more complete information on the part of
10 the public of the provisions of the laws of the State and nation for the sup-
11 pression of the beverage liquor traffic, and the benefits to be derived from a
12 rigid enforcement thereof;

13 (c) To inculcate in the minds of students and the public generally the
14 duties and responsibilities of citizenship in relation to the enforcement of the
15 Eighteenth Amendment, especially emphasizing the vital need of keeping in-
16 violate the fundamental law of the nation as the very bulwark of all our cher-
17 ished institutions.

Sec. 3. It shall be the duty of all State, county, city, village and town school
2 officials, principals, and teachers, and all persons who have to do with instruction
3 in public schools under State jurisdiction as aforesaid, to co-operate in the en-
4 forcement of the provisions of this Act.

Sec. 4. Nothing herein contained shall be construed to amend, alter or re-
2 peal any of the provisions of the law now in effect in this State requiring regu-
3 lar and systematic teaching in the public schools of the physiological effects of
4 alcoholic liquor drinking.



- 1 Introduced by Mr. Bippus, April 7, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Municipalities.

A BILL

For an Act to extend the powers of cities and villages in relation to local improvements.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That whenever in the judgment of the
3 corporate authorities of any city or village it becomes necessary to change or
4 re-locate the channel, course, or bed of any natural or artificial water course or
5 stream within the corporate limits of such city or village, in order to properly
6 lay out, establish, open, alter, widen, extend, grade, pave or otherwise improve
7 the streets, alleys, avenues and sidewalks, or any of them in any part of such
8 city or village, such corporate authorities are hereby vested with the power to
9 provide by ordinance for the laying out, establishing, opening, altering, widen-
10 ing, extending, grading, paving or otherwise improving such streets, alleys, ave-
11 nues and sidewalks, or any of them in such part of such city or village, and by
12 the same ordinance to provide for the changing or re-locating of the channel,
13 course, or bed of any such water course or stream within the corporate limits
14 of any such city or village. The entire improvement provided for by such ordi-

15 nance shall constitute a local improvement, the cost of which may be paid for by
16 special assessment, by special taxation of contiguous property, or by general
17 taxation, or otherwise, as such corporate authorities shall by ordinance direct,
18 and in providing for such improvement they may proceed in accordance with the
19 provisions of an Act entitled, "An Act concerning local improvements," ap-
20 proved June 14, 1897, in force July 1, 1897, and all amendments thereto.

Sec. 2. That for the purposes of this Act a water course or stream as
2 used in Section 1 hereof shall be construed to include all banks, beds and waters
3 connected with, adjacent, and leading to such water course, or stream.

AMENDMENT TO

52d G. A.

HOUSE BILL No. 594

1921



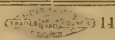
1 Adopted May 5, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 594, by adding a new section to be known as Section 3,

2 as follows:

Sec. 3. "The rights, powers and authority herein granted shall be subject to the
2 provision of Section 18 of 'An Act creating a Rivers and Lakes Commission for the
3 State of Illinois, and defining the duties and powers thereof,' approved June 10, 1911,
4 in force July 1, 1911, as subsequently amended by an Act approved June 30, 1919."



- 1 Introduced by Mr. Mueller, April 1, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act authorizing cities and villages to provide for the payment of allowances of money to the families or dependents of policemen and firemen killed or fatally injured while in the performance of their duties.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That, in addition to all other powers now
3 granted by law, the city council of any city and the president and board of trus-
4 tees of any village may, by general ordinance, provide for the payment of an
5 allowance of money, to be fixed by such city council or board of trustees, as the
6 case may be, to the family or dependents of any policeman or fireman employed by
7 such city or village in case he is killed or fatally injured while in the performance
8 of his duties. The sum so fixed shall not exceed five thousand dollars and shall
9 be payable only in case the injury arises from violence or other accidental cause
10 and death is directly due to such cause and results within sixty days after such
11 injury. Any payment made hereunder shall be for the use and benefit in
12 equal parts to the widow and minor child or children of the deceased, or to the
13 minor child or children if there is no widow, or the whole sum shall be payable

14 to the widow if there are no minor children, or if there is no widow or child of the
 15 deceased the said payment shall be made for the use of the next of kin actually de-
 16 pendent on the deceased at the time of his death: *Provided*, that a female unmar-
 17 ried child of full age or a male child that is physically or mentally disabled, in
 18 case he or she is dependent on the deceased for support at the time of his death,
 19 shall be entitled to the use and benefit of such fund in the same manner and to the
 20 same degree as a minor child.

Sec. 2. The allowance of money to be paid in accordance with the provi-
 1 sions of Section 1 hereof may be from a fund to be set aside for such purpose by
 2 the city or village created and maintained out of the corporate revenues of such
 3 city or village in such manner as the city council or board of trustees of such city
 4 or village may direct, or, in lieu thereof, it may be provided by for group insur-
 5 ance taken out for the benefit of such families or dependents of policemen and
 6 firemen in a regularly accredited life insurance company by such city or village,
 7 the premiums for which shall be paid out of the corporate revenues of such city or
 8 village.

Sec. 3. Upon the death of a policeman or fireman who is killed or fatally in-
 2 jured while in the performance of his duty, the city or village clerk, as the case
 3 may be, shall make out a certificate in such form as may be prescribed by ord-
 4 nance setting forth the facts which caused the death, to which shall be appended
 5 the certificate of the attending physician or the chief health officer of the city or
 6 village, stating that such death was the result of violence or accident, and the same
 7 shall be filed with the treasurer of the city or village in case the allowance herein
 8 provided for is to be paid out of the corporate fund set apart for that purpose, or
 9 it shall be forwarded to the life insurance company liable therefor if insurance
 10 has been taken out as herein provided for, and upon the presentation of said cer-
 11 tificate payment shall be made out of such fund or by such life insurance com-
 12 pany, as the case may be, to the executor or administrator of the estate of such
 13 policeman or fireman.



1 Introduced by Mr. Shearer, April 7, 1921.

2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 19 of "An Act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 19 of "An Act concerning fees
3 and salaries and to classify the several counties of this State with reference
4 thereto," approved March 29, 1872, in force July 1, 1872, as amended, is
5 amended to read as follows:

Sec. 19. The fees of sheriffs in counties of the first and second class shall
2 be as follows:

3 For serving a writ of summons on each defendant in counties of the first
4 class, one dollar; second class, one dollar.

5 For serving chancery summons and copy, or writ of injunction and copy, in
6 counties of the first class, one dollar; second class, one dollar.

7 For taking special bail, seventy-five cents in each county.

8 For serving a subpoena on each witness, in counties of the first class, fifty
9 cents; second class, fifty cents.

10 For advertising property for sale, one dollar.

11 For returning each writ or other process, twenty-five cents. Mileage for
12 each mile of necessary travel to serve any such writ or process as aforesaid,
13 calculating from the place of holding the court to the place of residence of the
14 defendant, or witness, seven and one-half cents each way, except subpoena
15 which shall be five cents per mile. *But, in any case where a sheriff serves, or*
16 *may conveniently serve, chancery process on two or more defendants in the*
17 *same suit, on one and the same trip from his office, he shall be allowed mileage*
18 *only for the number of miles traveled, or, in case the service was not made in one*
19 *trip, for the number of miles necessary to be traveled in serving all such defend-*
20 *ants in one trip from his office.*

21 For summoning each juror, in counties of first class, fifty cents; second class,
22 fifty cents, with five cents mileage each way in all counties.

23 For serving notice of executions, or levying an execution or serving an
24 attachment, in counties of first class, one dollar; in second class, one dollar, and
25 mileage seven and one-half cents each way in all counties.

26 For taking possession of and removing property levied on, the officer shall
27 be allowed to tax the actual cost of such possession or removal.

28 For serving and returning a *scire facias* to revive a judgment, foreclose a
29 mortgage, or against bail, in counties of first class, one dollar; in second class,
30 one dollar.

31 For committing each prisoner to jail, in counties of first class, fifty cents;
32 second class, fifty cents, payable out of the county treasury, unless paid by the
33 defendant.

34 For discharging each prisoner from jail, in counties of first and second
35 class, fifty cents, payable out of the county treasury, unless paid by the de-
36 fendant.

37 For dieting each prisoner, such compensation to cover the actual cost as
38 may be fixed by the county board, but such compensation shall not be consid-
39 ered a part of the fees of the office.

40 For attending before a judge with prisoner, on a writ of *habeas corpus*, in
41 counties of first and second class, two dollars and fifty cents per day.

42 For each mile of necessary travel in taking such prisoner before the judge,
43 as aforesaid, five cents each way.

44 For serving a writ of possession, restitution, assistance or ejection with-
45 out aid, two dollars, and when aid is necessary the sheriff shall be allowed to tax
46 in addition the actual cost thereof, and for each mile of necessary travel, ten
47 cents each way.

48 For executing a writ of *ad quod damnum*, attending the inquest and return-
49 ing the writ with the verdict of the jury, two dollars.

50 For attending the Circuit and County Courts, and for attending the
51 County Court sitting for probate business at request of the judge, the time to be
52 certified to by the judge, not more than five dollars per day, to be allowed and
53 paid out of the county treasury.

54 For executing and acknowledging a deed of sale of real estate, in counties
55 of first class, two dollars; in counties of second class, two dollars.

56 For preparing, executing and acknowledging a deed on redemption from a
57 master's sale of real estate in counties of first class, three dollars; in counties of
58 second class, three dollars.

59 For making certificate of sale, and making and filing duplicate, in counties
60 of first class, one dollar; in counties of second class, one dollar.

61 For making certificate of redemption, one dollar and fifty cents.

62 For certificate of levy and filing, one dollar, and the fee for recording shall
63 be advanced by plaintiff in execution and charged up as costs.

64 For taking all bonds on legal process, in counties of first class, one dollar;
65 in second class, one dollar.

66 For serving grand jury witnesses, fifty cents and mileage five cents each
67 way, payable out of the county treasury.

68 For executing capias in criminal cause, where the offense is infamous, three
69 dollars, and mileage for each mile of necessary travel five cents each way.

70 For executing capias where the offense is not infamous, in counties of first
71 class, one dollar; second class, one dollar, and mileage for each mile of necessary
72 travel seven and one-half cents each way.

73 For executing requisitions from other states, five dollars.

74 For conveying each prisoner from his own county to the jail of a foreign
75 county, per mile, for going only, twenty-five cents.

76 For conveying convicts to the penitentiary or reform school from any
77 county, the following fees, payable out of the State treasury, viz: Where only
78 one convict is conveyed at and after the rate of twenty-five cents for each and
79 every mile necessarily traveled in going to the penitentiary or the reform school
80 from the place of conviction. Where two convicts are conveyed by the said
81 sheriff at the same time, he shall receive at and after the rate of twenty-five
82 cents per mile for first, and fifteen cents per mile for the second convict. Where
83 more than two are conveyed at the same time to the penitentiary or reform
84 school as aforesaid, he shall be allowed twenty-five cents per mile for the first,
85 fifteen cents per mile for the second, and ten cents per mile for each of the
86 residue.

87 For conveying any person to or from any of the charitable institutions of
88 the State, when properly committed by some competent authority, twenty-five
89 cents per mile.

90 For conveying a convict from the penitentiary to the county jail when re-
91 quired by law, thirty cents per mile.

92 For attending Supreme Court, three dollars per day.

93 In addition to the above fees, there shall be allowed to the sheriffs in coun-
94 ties of the first and second class, a commission of 3 per centum on all sales of
95 real and personal estate, which shall be made by virtue of any execution or any

96 decree of a court of chancery, where the money arising from such sale shall not
97 exceed two hundred dollars; but in all cases where the amount of such sale shall
98 exceed that sum, then one and one half per cent commission on the excess only
99 shall be allowed: *Provided*, that in all cases where the execution shall be settled
100 by the parties, replevied, stopped by injunction or paid, or where the property
101 levied upon shall not be actually sold, the sheriff shall be allowed his fee for
102 levying and mileage, together with half the commission on all money collected by
103 him which he would be entitled to if the same was made by sale or execution;
104 except the necessary expenses for keeping personal property, to be ascertained
105 and allowed by the court out of which the same shall be issued.

106 In all criminal cases where the defendant shall be acquitted or otherwise
107 legally discharged, without payment of costs, the sheriff shall be paid such fees
108 from the county treasury: *Provided*, that no such fees shall be paid to the
109 sheriff from the county treasury when the fees collected by him during such
110 year shall equal the compensation or salary allowed him by the county board:
111 *And, provided, further*, that no more of such fees shall in any case be paid from
112 the county treasury than shall be sufficient, with the fees collected, to make the
113 salary or compensation of said sheriff.

114 In all cases where any of the sheriffs of this State shall be required by law
115 to execute any sentence or punishment other imprisonment, for which no fee is
116 allowed by this Act, it shall be the duty of the county board of the proper county
117 to allow a reasonable compensation for the same, to be paid out of the county
118 treasury, not exceeding one hundred dollars. It shall be the duty of each sheriff
119 entitled to mileage under this Act, to endorse on each writ, summons, subpoena
120 or other process that he may execute the distance he may travel to execute the
121 same, ascertaining the distance and the charge properly allowable therefor, in
122 conformity with the foregoing regulations.

123 The sheriff in counties of the first and second class shall in all cases be
124 entitled to demand the payment of all fees for service in advance so far as the
125 same can be ascertained: *Provided*, if service shall not be made such fees and

126 mileage so advanced shall be returned to the party advancing same on demand.
127 *In any case, however, where chancery process is to be served on two or more*
128 *defendants in the same suit, and such process may conveniently be served on all*
129 *such defendants in one trip from the sheriff's office, the sheriff shall not be*
130 *entitled to demand, in advance, mileage for more than the number of miles*
131 *necessary to be traveled in serving all such defendants in one trip from his*
132 *office.*



- 1 Introduced by Mr. LaPorte, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

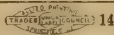
For an Act to amend Sections 2 and 22 of "An Act to revise the law in relation to the practice of the art of treating human ailments," approved June 25, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 2 and 22 of "An Act to revise
3 the law in relation to the practice of the art of treating human ailments," ap-
4 proved June 25, 1917, in force July 1, 1917, are amended to read as follows:

Sec. 2. No person shall practice *medicine or* medicine and surgery, or any
2 any branches thereof, or any system or method of treating human ailments
3 without the use of drugs or medicines and without operative surgery, or midwif-
4 ery, without a liscense so to do.

Sec. 22. Any person who, not being then licensed to practice medicine and
2 surgery in all their branches, shall practice *medicine or* medicine and surgery;
3 or who, not being then licensed to treat human ailments without the use of drugs

4 or medicines and without operative surgery, shall treat human ailments without
5 the use of drugs or medicines and without operative surgery; or who, being
6 licensed to treat human ailments without the use of drugs or medicines and
7 without operative surgery shall treat human ailments with drugs or medicines
8 or with operative surgery; or who, not being then licensed to practice mid-
9 wifery, shall practice midwifery, or who shall buy, sell or fraudulently obtain
10 any medical or professional diploma, license or registration; or who
11 shall fraudulently aid or abet such fraudulent buying, selling or obtain-
12 ing; or who shall practice the treatment of human ailments, or mid-
13 wifery under cover of any license fraudulently or illegally obtained; or
14 who, being licensed to treat human ailments without the use of drugs or medi-
15 cines and without operative surgery in a named school or system of practice,
16 shall, in connection with his name, advertise or profess to treat human ailments
17 under a system of school of treatment or practice other than that for which he
18 holds a license, shall be guilty of a misdemeanor and, upon conviction, shall be
19 punished by a fine of not less than twenty-five dollars (\$25.00) nor more than
20 two hundred dollars (\$200.00), or confined in the county jail not more than one
21 year, or punished by both such fine and imprisonment in the discretion of the
22 court.



- 1 Introduced by Mr. Lyman (by request), April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 110 of an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 110 of an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended, is amended to read as follows:*

Sec. 110. The provisions of this Act shall not apply to land in any county until this Act shall have been adopted by a vote of the people of the county at an election to be held on Tuesday next after the first Monday in November or the first Tuesday in April or any election for the election of judges of the year in which the question is submitted.

The question may be submitted in the following manner: In any county of the first or second class, as the same are classified in the Act concerning fees and salaries, on the petition of not less than five per cent of the legal voters, to be ascertained by the vote cast at the last preceding election for county officers, or in

10 any county of the third class upon petition of not less than twenty-five hundred
 11 (2500) legal voters praying the submission of the question of this Act, the clerk
 12 shall give notice that such question will be submitted at such election and shall
 13 cause to be printed at the top of the ballots to used for said election:

For the Torrens Land Title System.	
Against the Torrens Land Title System.	

14 The votes cast upon that question shall be counted, canvassed and returned
 15 as in the case of the election of county officers. If the majority of the votes cast
 16 on that subject shall be for the Torrens land title system, this Act shall there-
 17 after be in force and apply to lands in that county.



- 1 Introduced by Mr. Smejkal, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the construction of "The Illinois Waterway" and its appurtenances.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated to the Department of Public Works and Buildings the following sums, or so much thereof as may be necessary, for expenditures in connection with "The Illinois Waterway," and its appurtenances, as follows:

For the construction of "The Illinois Waterway" and its appurtenances, whether by contract or by the direct employment of services, labor, materials and equipment and for the payment for property taken or damaged in the construction, operation or maintenance of "The Illinois Waterway" and its appurtenances.	\$17,250,000.00
For the repair, replacement or reconstruction of public bridges along the line of "The Illinois Waterway"	1,150,000.00

13	For altering, rebuilding or reconstructing existing drainage or	
14	sewer systems which will be destroyed or materially interfered	
15	with in the construction of "The Illinois Waterway" and its	
16	appurtenances	1,600,000.00
		<hr/>
		\$20,000,000.00

Sec. 2. The Auditor of Public Accounts shall draw his warrants on the
 State Treasurer for the sums herein appropriated upon the presentation of item-
 ized vouchers certified to as correct by the Department of Public Works and
 Buildings and approved by the Department of Finance, and the State Treasurer
 shall pay the same out of the special fund in the treasury known as "The Water-
 way Fund."

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 599

1921



1 Adopted April 26, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 599, by striking out all of Section 2 and
2 inserting in lieu thereof the following:

3 Sec. 2. The appropriations herein made are payable from the Waterway
4 Fund in the State Treasury and are subject to the provisions of "An Act in rela-
5 tion to State Finance," approved June 10, 1919, in force July 1, 1919."



- 1 Introduced by Mr. Smejkal, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend Section 36 of an "Act in relation to Motor Vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 36 of "An Act in relation to Motor Vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920, is amended to read as follows:*

Sec. 36 All moneys received by the Secretary of State as registration fees and for the examination and licensing of chauffeurs, as provided in this Act, shall be deposited in the State Treasury and set apart as a special fund to be known as the Road Fund. The Road Fund shall, if and when the State of Illinois shall incur any bonded indebtedness for the construction of permanent highway, be set aside and used for the purpose of paying and discharging annually the principal and interest on such bonded indebtedness then due and payable. *The Auditor of Public Accounts shall annually, on the first day of July, determine the amount necessary to pay the principal and interest on such bonded indebtedness during the fis-*

10 cal year ending June 30th next thereafter. By his order he shall authorize and
11 the State Treasurer shall transfer a sufficient sum from the Road Fund herein
12 above provided to a special fund to be known as the "State Road Bond Interest
13 and Retirement Fund." If the balance in Road Fund on such day be insufficient
14 to meet in full the transfer order of the Auditor of Public Accounts above referred
15 to, the sums accruing to the Road Fund shall be transferred as received by the
16 State Treasurer to the State Road Bond Interest and Retirement Fund until the
17 Auditor's transfer order is satisfied in full. From the State Road Bond Interest
18 and Retirement Fund the State Treasurer shall pay the interest on such bonds
19 and retire such bonds when due at par. The surplus in the Road Fund, if any,
20 after the provision for the payment of the principal and interest on such bonded
21 indebtedness as above provided, shall be used for the improvement of the high-
22 ways of the State in accordance with the provisions of Article IV of an Act en-
23 titled, "An Act to revise the law in relation to roads and bridges," approved
24 June 27, 1913, in force July 1, 1913, or in accordance with the provisions of the
25 Federal Aid Road Act or both of such Acts, and all Acts amendatory thereof.



1 Offered by Committee on Roads and Bridges, May 11, 1921.

2 Read, ordered printed.

AMENDMENT NO. 1.

Amend printed House Bill No. 600 in Senate, by striking out the word
2 "July" in line 8 of Section 36, Page 1, and substituting in lieu thereof the
3 word "January."

AMENDMENT NO. 2.

Amend printed House Bill No. 600 in Senate, on page 2, line 10 of Section
2 36, by striking out the word and figures "June 30th" and substituting in lieu
3 thereof the word and figures "December 31st."



- 1 Introduced by Mr. Arnold, April 7, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Sections 5 and 9 of the "Civil Administrative Code of Illinois," approved March 7, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Sections 5 and 9 of the "Civil Administrative Code of Illinois," approved March 7, 1917, in force July 1, 1917, as amended, are amended to read as follows:

Sec. 5. In addition to the directors of departments, the following executive and administrative officers, boards and commissions, which said officers, boards and commissions in the respective departments, shall hold offices hereby created and designated as follows:

IN THE DEPARTMENT OF FINANCE:

- Assistant director of finance;
- Administrative auditor;
- Superintendent of budget;
- Superintendent of department reports;

10 Statician;

11 The Tax Commission, which shall consist of three officers designated as tax
12 commissioners.

13 IN TH DEPARTMENT OF AGRICULTURE

14 Assistant director of agriculture;

15 General manager of the State fair;

16 Superintendent of foods and dairies;

17 Superintendent of animal industry;

18 Superintendent of plant industry;

19 Chief veterinarian;

20 Chief game and fish warden;

21 *Board of poultry husbandry, which shall consist of the superintendent of poultry*
22 *husbandry and four officers designated as poultry husbandry field men;*

23 The food standard commission, which shall consist of the superintendent of
24 foods and dairies and two officers designated as food standard officers.

25 IN THE DEPARTMENT OF LABOR:

26 Assistant director of labor;

27 Chief factory inspector;

28 Superintendent of free employment offices;

29 Chief inspector of private employment agencies;

30 The industrial commission, which shall consist of five officers designated as
31 industrial officers.

32 IN THE DEPARTMENT OF MINES AND MINERALS:

33 Assistant director of mines and minerals;

34 The mining board, which shall consist of four officers designated as mine offi-
35 cers and the director of the department of mines and minerals;

36 The miners' examining board, which shall consist of four officers, designated
37 miners' examining officers.

38 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

- 39 Assistant director of public works and buildings;
40 Superintendent of highways;
41 Chief highway engineer;
42 Supervising architect;
43 Supervising engineer;
44 Superintendent of waterways;
45 Superintendent of printing;
46 Superintendent of purchases and supplies;
47 Superintendent of parks.

48 IN THE DEPARTMENT OF PUBLIC WELFARE:

- 49 Assistant director of public welfare;
50 Alienist;
51 Criminologist;
52 Fiscal Supervisor;
53 Superintendent of charities;
54 Superintendent of prisons;
55 Superintendent of pardons and paroles.

56 IN THE DEPARTMENT OF PUBLIC HEALTH

- 57 Assistant director of public health;
58 Superintendent of lodging house inspection.

59 IN THE DEPARTMENT OF TRADE AND COMMERCE

- 60 Assistant director of trade and commerce;
61 Superintendent of insurance;
62 Fire marshal;
63 Superintendent of standards;
64 Chief grain inspector;

65 The public utilities commission, which shall consist of five officers, designated
 66 public utility commissioners;
 67 Secretary of the Public Utilities Commission.

68 IN THE DEPARTMENT OF REGISTRATION AND EDUCATION

69 Assistant director of registration and education;
 70 Superintendent of registration;
 71 The normal school board, which shall consist of nine officers, together with
 72 the director of the department and the superintendent of public instruction.
 73 The above named officers, and each of them, shall, except as otherwise pro-
 74 vided in this Act, be under the direction, supervision and control of the director
 75 of their respective departments, and shall perform such duties as such director
 76 shall prescribe.

 Sec. 9. The executive and administrative officers, whose offices are created
 2 by this Act, shall receive annual salaries, payable in equal monthly installments,
 3 as follows:

4 IN THE DEPARTMENT OF FINANCE:

5 The director of finance shall receive seven thousand dollars;
 6 The assistant director of finance shall receive forty-two hundred dollars;
 7 The administrative auditor shall receive forty-eight hundred dollars;
 8 The superintendent of budget shall receive three thousand six hundred dol-
 9 lars;
 10 The superintendent of department reports shall receive thirty-six hundred
 11 dollars;
 12 The statistician shall receive four thousand dollars;
 13 Each tax commissioner shall receive six thousand dollars.

14 IN THE DEPARTMENT OF AGRICULTURE:

15 The director of agriculture shall receive six thousand dollars;
 16 The assistant director of agriculture shall receive thirty-six hundred dollars;

17 The general manager of the State fair shall receive thirty-six hundred dol-
18 lars;

19 The superintendent of foods and dairies shall receive forty-eight hundred dol-
20 lars;

21 The superintendent of animal industry shall receive thirty-six hundred dol-
22 lars;

23 The superintendent of plant industry shall receive thirty-six hundred dol-
24 lars;

25 The chief veterinarian shall receive forty-two hundred dollars;

26 The chief game and fish warden shall receive three thousand six hundred dol-
27 lars;

28 *The superintendent of poultry husbandry shall receive twenty-four hundred*
29 *dollars;*

30 *Each poultry husbandry field man shall receive ten dollars per day and neces-*
31 *sary traveling expenses for each day actually engaged;*

32 Each food standard officer shall receive four hundred and fifty dollars.

33 IN THE DEPARTMENT OF LABOR:

34 The director of labor shall receive five thousand dollars;

35 The assistant director of labor shall receive three thousand dollars;

36 The chief factory inspector shall receive three thousand dollars;

37 The superintendent of free employment offices shall receive three thousand
38 dollars.

39 The chief inspector of private employment agencies shall receive three thou-
40 sand dollars;

41 Each industrial officer shall receive five thousand dollars.

42 IN THE DEPARTMENT OF MINES AND MINERALS:

43 The director of mines and minerals shall receive five thousand dollars;

44 The assistant director of mines and minerals shall receive three thousand dol-
45 lars;

46 Each mine officer shall receive five hundred dollars;

47 Each miners' examining officer shall receive one thousand eight hundred dol-
48 lars.

49 IN THE DEPARTMENT OF PUBLIC WORKS AND BUILDINGS:

50 The director of public works and buildings shall receive seven thousand dol-
51 lars;

52 The assistant director of public works and buildings shall receive four thou-
53 sand dollars;

54 The superintendent of highways shall receive five thousand dollars;

55 The chief highway engineer shall receive five thousand dollars;

56 The supervising architect shall receive four thousand dollars;

57 The supervising engineer shall receive four thousand dollars;

58 The superintenant of waterways shall receive five thousand dollars;

59 The superintendent of printing shall receive five thousand dollars;

60 The superintendent of purchases and supplies shall receive five thousand
61 dollars;

62 The superintendent of parks shall receive twenty-five hundred dollars.

63 IN THE DEPARTMENT OF PUBLIC WELFARE:

64 The director of public welfare shall receive seven thousand dollars;

65 The assistant director of public welfare shall receive four thousand dollars;

66 The alienist shall receive five thousand dollars;

67 The criminologist shall receive five thousand dollars;

68 The fiscal supervisor shall receive five thousand dollars;

69 The superintendent of charities shall receive five thousand dollars;

70 The superintendent of prisons shall receive five thousand dollars;

71 The superintendent of pardons and paroles shall receive five thousand dol-
72 lars;

73 IN THE DEPARTMENT OF PUBLIC HEALTH:

74 The director of public health shall receive six thousand dollars;

75 The assistant director of public health shall receive three thousand six hun-
76 dred dollors;

77 The superintendent of lodging house inspection shall receive three thousand
78 dollars.

79 IN THE DEPARTMENT OF TRADE AND COMMERCE:

80 The director of trade and commerce shall receive seven thousand dollars;

81 The assistant director of trade and commerce shall receive four thousand
82 dollars;

83 The superintendent of insurance shall receive five thousand dollars;

84 The fire marshal shall receive three thousand dollars;

85 The superintendent of standards shall receive twenty-five hundred dollars;

86 The chief grain inspector shall receive five thousand dollars;

87 Each public utilities commissioner shall receive seven thousand dollars;

88 The secretary of the Public Utilities Commission shall receive four thou-
89 sand dollars.

90 IN THE DEPARTMENT OF REGISTRATION AND EDUCATION:

91 The director of registration and education shall receive five thousand dol-
92 lars;

93 The assistant director of registration and education shall receive three thou-
94 sand six hundred dollars;

95 The superintendent of registration shall receive four thousand two hundred
96 dollars.



- 1 Introduced by Committee on Judiciary, April 8, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Section 3 of "An Act to revise the law in relation to the rate of interest, and to repeal certain Acts therein named," approved May 24, 1879, in force July 1, 1879, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 3 of "An Act to revise the law in
3 relation to the rate of interest, and to repeal certain Acts therein named," ap-
4 proved May 24, 1879, in force July 1, 1879, as amended. is amended to read as
5 follows:

Sec. 3. Judgments recovered before any court or magistrate shall draw in-
2 terest at the rate of *six (6)* per centum per annum from the date of the same until
3 satisfied. When judgment is entered upon any award, report or verdict, interest
4 shall be computed at the rate aforesaid, from the time when made or rendered
5 to the time of rendering judgment upon same, and made a part of the judgment.



- 1 Introduced by Mr. Roderick, April 8, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 20 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, said Section 20 being amended by Act approved May 25, 1877, in force July 1, 1877, and by Act approved April 22, 1907, in force July 1, 1907, and by Act approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 20 of an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by Act approved March 28, 1874, in force July 1, 1874, said Section 20 being amended by Act approved May 25, 1877, in force July 1, 1877, and being further amended by Act approved April 22, 1907, in force July 1, 1907, and as amended by Act approved June 28, 1919, in force July 1, 1919, be amended so that said Section 20 shall read as follows:

MASTERS IN CHANCERY.

Sec. 20. FEES OF] For administering oaths and signing jurat, when not taking evidence or depositions, ten cents. For taking acknowledgment of proof of any deed, or written instrument, twenty-five cents. For taking depositions and certifying, for every one hundred words, fifteen cents. For taking and reporting testimony under order of court, the same fee as for taking depositions. For issuing certificates of indebtedness, redemption and satisfaction upon decrees providing for sales at end of redemption period, two dollars for each certificate and duplicate thereof. For making sales and certificates and deeds thereon, the same fees, commissions and allowances as sheriffs; but in no suit or other proceeding shall such commission exceed two hundred dollars. For making a deed alone, in other cases, when required by order or decree of court, three dollars. For report of sale in every suit or proceeding when a sale is had, three dollars. For report of distribution of proceeds of sale, when made separately from report of sale, three dollars. For hearing and deciding application for writs of *ne exeat* or injunction, to be advanced by the complainant and taxed with costs, five dollars. For ordering, or refusing to order, a writ of *habeas corpus* or *certiorari*, five dollars. In all cases where a special master in chancery has been appointed he shall receive for his services the same fees as those allowed by law to the master in chancery.

In all counties hereafter masters in chancery may receive for examining questions in issue referred to them, and reporting conclusions thereon, and also in cases where the defendants are in default but under the order of reference the master is required to find and report conclusions, such compensation, as the court may deem just; and for services not enumerated above in this section, and which has been had and may be imposed by statute or special order, they may receive such compensation as the court may allow; *Provided, however, that objections, if any, to the amount of fees so allowed by the court to the master as herein provided shall be made in writing and filed with the clerk of the court before the entry of final decree in said cause, and the amount of the fees allowed to the mas-*

30 *ter by the court shall not be questioned for the first time on appeal or writ of*
31 *error..* The court may also include as a part of such master's fees a reasonable
32 allowance not to exceed fifteen cents per hundred words for stenographer's ser-
33 vices in cases where the master shall certify that a stenographer was necessa-
34 rily employed, and shall attach to his report a certified copy of the testimony
35 taken by such stenographer. Upon reference of any matter to the master in
36 chancery the court may, in its discretion, at the time of such reference or at
37 any subsequent time, order any party seeking to offer evidence before the master
38 to deposit with the clerk of the court such sum or sums as may be fixed by the
39 court to secure the payment of any part or all of the cost of such reference; and
40 the court may, in its discretion, before the master shall be required to make a re-
41 port in any cause, order the payment of all costs incurred before the master, the
42 same to be taxed equitably in such manner as directed by the court.



- 1 Introduced by Mr. Shearer, April 8, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to add Section 8½ to "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto", approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 8½ is added to "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended, to read as follows:*

Sec. 8½. *No State's attorney shall be entitled, in any criminal proceeding, to any of the fees enumerated in section 8 above unless he, or one of his regularly constituted assistants, shall appear in such proceeding and conduct the same as the representative of the State.*



- 1 Introduced by Mr. Bippus, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 1 of Article VII of "An Act regulating the holding of elections and declaring the result thereof, in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 1 of Article VII of "An Act reg-
3 ulating the holding of elections and declaring the result thereof in cities, villages
4 and incorporated towns in this State," approved June 19, 1885, in force July 1,
5 1885, as amended, is amended to read as follows:

ARTICLE VII.

Sec. 1. Such election commissioners and the chief clerk and the assistant
2 chief clerk of the board of election commissioners shall be paid by the county.
3 *In cities, villages and incorporated towns having a population less than 15,000,*
4 *as determined by the last federal census,* the election commissioners shall re-
5 ceive a salary of five hundred dollars (\$500), and the chief clerk a salary of



1 Introduced by Mr. Bippus, April 12, 1921.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend Section 1 of Article VII of "An Act regulating the holding of elections and declaring the result thereof, in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Section 1 of Article VII of "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended, is amended to read as follows:*

ARTICLE VII.

Sec. 1. Such election commissioners and the chief clerk and the assistant chief clerk of the board of election commissioners shall be paid by the county. *In cities, villages and incorporated towns having a population less than 15,000, as determined by the last federal census, the election commissioners shall receive a salary of five hundred dollars (\$500), and the chief clerk a salary of*

6 four hundred dollars (\$400) per annum. *If the population is more than 15,000*
7 *and less than 200,000*, the election commissioners shall receive a salary of one
8 thousand dollars (\$1,000) per annum, and the chief clerk shall receive a salary
9 of not less than fifteen hundred dollars (\$1,500), nor more than two thousand
10 four hundred dollars (\$2,400) per annum, and in *such cities, villages and incor-*
11 *porated towns* there may be employed one assistant chief clerk who shall re-
12 ceive a salary of not less than one thousand dollars (\$1,000) nor more than
13 fifteen hundred dollars (\$1,500) per annum. It shall be the duty of the board
14 of election commissioners in *such cities, villages and incorporated towns* to fix
15 the salary of the chief clerk and assistant chief clerk at the time of appoint-
16 mentment of said clerks, not to exceed the amount herein mentioned. *In cities,*
17 *villages and incorporated towns with a population greater than 200,000* the
18 election commissioners shall receive a salary of four thousand dollars (\$4,000),
19 and the chief clerk a salary of *eight thousand dollars (\$8,000)* per annum; and
20 also in *such cities, villages and incorporated towns* there may be employed one
21 assistant chief clerk, who shall receive a salary of three thousand dollars
22 (\$3,000) per annum. All expenses incurred by such board of election commis-
23 sioners shall be paid by such city. Such salaries and expenditures are to be
24 audited by the county judges, and such salaries shall be paid by the county
25 treasurer, upon the warrant of such county judge, of any money in the county
26 treasurer not otherwise appropriated, and such expenditures shall be paid by the
27 city treasurer, upon the warrant of such county judge, and out of any money in
28 the city treasury not otherwise appropriated. It shall also be the duty of the
29 governing authority of such counties and cities respectively to make provision
30 for the prompt payment of such salaries and expenditures, as the case may be.



1 Adopted May 25, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 605, by striking out in line 19 the words and figures
2 “eight thousand dollars (\$8000)” and insert the words and figures “seven
3 thousand dollars (\$7000).”



- 1 Introduced by Mr. Chas. Curran, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 17 and 22, of an Act entitled, "An Act in relation to an Illinois State Institutions Teachers' Pension and Retirement Fund", filed June 14, 1917, and in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 17 and 22, of an Act entitled "An Act in relation to an Illinois State Institutions Teachers' Pension and Retirement Fund," filed June 14, 1917, and in force July 1, 1917, are amended to read as follows:

Sec. 17. Any teacher excepting those provided for in clause (b) of Section 15 of this Act, who is a contributor to said fund who shall cease to teach in said schools or institutions before becoming a member of the third class as provided in Section 7 of this Act shall, if application be made in writing to the board of trustees within six months after the date of his or her retirement be entitled to the return of fifty per cent of the amount, without interest, which shall have been paid into the fund by such teacher. If such teacher shall again thereafter

8 teach in any school or institutions included under this Act he or she shall, within
 9 *five months* from the date of his or her return to the service of said school or in-
 10 stitution, return to said fund the amount so returned to such teacher, together
 11 with simple interest on said amount at four (4) per cent per annum from the
 12 time such amount was withdrawn from the fund.

Sec. 22. The term "teacher" as used in this Act shall include any teacher,
 2 teacher-clerk, principal, supervisor, supervising principal, president, superin-
 3 tendent or assistant superintendent, and any certified librarian or assistant
 4 librarian, who shall be employed in any State educational, correctional, or char-
 5 itable institution (excepting the University of Illinois) supported wholly or in
 6 part by public moneys of this State: *Provided*, that service as *Superintendent*
 7 *of Public Instruction or Assistant Superintendent of Public Instruction*, county
 8 superintendent of schools, assistant county superintendent of schools, teacher in
 9 any State school or institution, teacher in the public schools as defined in Sec-
 10 tion 34 of an Act entitled, "An Act in relation to an Illinois State Teachers'
 11 Pension and Retirement Fund," approved May 27, 1915, and as many as ten
 12 years of similar teaching service in other states of the United States may be
 13 counted as part of the twenty-five years of service required to enable the teacher
 14 to receive the annuity under this Act, subject, however, to all the requirements
 15 of this Act. *Provided, further*, that the term "teacher" as used in this Act shall
 16 not include any person who does not give at least half time to the distinctly edu-
 17 cational work of the institution in which he or she is employed.



- 1 Introduced by Mr. Charles Curren, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 25 and 27 of an Act entitled, "An Act in relation to an Illinois State Teachers' Pension and Retirement Fund," approved May 27, 1915, and in force July 1, 1915.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Sections 25 and 27 of an Act en-
3 titled, "An Act in relation to an Illinois State Teachers' Pension and Retire-
4 ment Fund," approved May 27, 1915, and in force July 1, 1915, as amended,
5 are amended to read as follows:

Sec. 25. Any person, who has complied with the provisions of this section
2 may retire and receive an annuity provided for in the following cases:

3 (a) After a period or periods aggregating twenty-five (25) years of serv-
4 ice as teacher in the public schools of the United States of which fifteen (15)
5 years must have been spent in the public schools of this State, *included under*
6 *the State Teachers' Pension and Retirement Fund Act*, provided that the pay-
7 ments and deductions of his or her salary have been made and turned over to

8 said fund as provided in Sections 12 and 13. If said payments shall not have
 9 amounted to \$400.00, the teacher shall pay into the fund the deficiency before
 10 receiving the annuity with interest as provided by clause (b) of this section.
 11 No person while receiving a teacher's annuity from any other public school
 12 teachers' pension or retirement fund shall receive an annuity from the funds
 13 created under this Act. Nor shall any person under fifty years of age receive
 14 an annuity except as provided in paragraph (c) of this section (a) 1. Amended
 15 1919.

Sec. 25. (Amended in 1919.) Any person not now employed as a teacher
 2 or not now holder of a certificate to teach, and who at the time of the going
 3 into effect of this Act had served twenty-five (25) years as teacher as defined
 4 by section 34 of this Act, three-fifths of which period had been in the public
 5 schools in the State of Illinois, may become a beneficiary of the Illinois State
 6 Teachers' Pension and Retirement Fund and receive the annuity provided by
 7 section 26 of this Act by paying into the fund the sum equal to that which
 8 he or she would have contributed had he or she been a regular contributor to
 9 said fund during the period of such service, together with simple interest
 10 thereon at the rate of four per cent per annum from the time such payments
 11 would have been made to the time when such person shall, by making the pay-
 12 ments, become entitled to the benefits and credits of such past service.

13 (b) Teachers who elect to become contributors to, and beneficiaries of
 14 the said Illinois State Teachers' Pension and Retirement Fund, under the
 15 provisions of this section may count past services in public schools as a part
 16 of the whole of the period of twenty-five years hereinafter specified, but no
 17 annuity shall be paid until said teacher shall have paid into the fund a sum
 18 equal to that which he or she would have contributed under the provisions
 19 of this section had he or she been a regular contributor to said fund during
 20 said period of past service, together with simple interest thereon at the rate
 21 of four per cent per annum from the time such payments would have been
 22 made, had such person during such time been a contributor to such fund, to

23 the time such person shall by making such payments become entitled to the
24 benefits and credits of such past service.

25 (c) After fifteen years of service as teacher in the public schools, two-
26 fifths of which may be outside of Illinois, *or in the public schools not included*
27 *under the State Teachers' Pension and Retirement Fund Act*, but within the
28 United States, any teacher who shall have been declared by two competent
29 physicians, who have made a physical examination of the teacher, at the re-
30 quest of the board of trustees, to be suffering from any disability such as to
31 disqualify him or her for teaching, may during the continuance of such dis-
32 ability retire, provided that the payments of said teacher to the fund shall
33 have amounted to a sum, as provided in sections 12 and 13. If said payment
34 shall not amount to \$400.00, the teacher shall pay into the fund the deficiency
35 before receiving the annuity. No person while receiving a teacher's annuity
36 from any other public school teachers' pension and retirement fund shall re-
37 ceive an annuity from the fund created under said sections.

38 (d) In computing the terms of service under clause a, b, and c of this
39 section, a year shall be a legal school year at the time and place where said
40 service was rendered in public schools not included in the provisions of this
41 section, a time less than a legal school year in this State shall not be included
42 as a year, but only such portion of a year as the number of teaching weeks
43 in each such year bears to the number of weeks required at the time to con-
44 stitute a legal year in the State.

45 (e) Any person who has complied with the provisions of this Act and
46 desires to retire from active service in said public schools, shall apply in
47 writing to the board of trustees of the Illinois State Teachers' Pension and
48 Retirement Fund.

49 (f) Any teacher coming from a public school not included within the pro-
50 visions of this section who may be employed to teach in the public schools men-
51 tioned in this section may become a contributor to and beneficiary of said
52 fund in like manner as provided in clause (b) of this section.

Sec. 27. Any teacher who is a contributor to said fund who shall cease to
2 teach in said public schools before becoming a member of the third class as pro-
3 vided in section 13, shall, if application be made in writing to the Board of
4 Trustees within six months after the date of his or her retirement, be entitled
5 to the return of fifty per cent of the amount, without interest, which shall
6 have been paid into the fund by said teacher. If such teacher shall again
7 thereafter teach in the public schools, he or she shall, within *five months*, from
8 the date of his or her return to the service of said public schools, return to
9 said fund the amount so returned to such teacher, together with simple interest
10 on said amount at four per cent per annum for the time such amount was with-
11 drawn from the fund.



- 1 Introduced by Mr. Flack, April 12, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 6, 9, and 11 of "An Act to revise the law in relation to marriages," approved February 27, 1874, in force July 1, 1874, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 6, 9, and 11 of "An Act to revise
3 the law in relation to marriages," approved February 27, 1874, in force July 1,
4 1874, as amended, are amended to read as follows:

Sec. 6. Persons intending to be joined in marriage shall, before their mar-
2 riage, obtain a license from the county clerk of *any county of this State*. For
3 the purpose of ascertaining the age of the parties and the legality of the con-
4 templated marriage, the county clerk shall obtain an affidavit of the party ap-
5 plying for the license (who must be one of the parties to the contemplated mar-
6 riage) and such county clerk may, if he deems proper, obtain the affidavits of
7 both parties to the contemplated marriage, and of any other person or persons.
8 Any applicant for any such license, *or* any person or persons who are about to
9 be married under any such license, or any other person making any such affi-

10 davit above mentioned who wilfully and knowingly *swears* falsely as to any ma-
 11 terial matter in any such affidavit, or to the age of either of the parties to the con-
 12 templated marriage, where such age is material, *thereby inducing* the county
 13 clerk to issue a marriage license permmitting persons to be joined in marriage
 14 who are legally incapable or who have not the right to be joined in marriage,
 15 shall be *fined* not less than one hundred dollars nor more than one thousand dol-
 16 lars, or *imprisoned* in the county jail for not more than one year, or both.

Sec. 9. *The marriage may take place in the county in which the license was*
 2 *issued, or in any other county of this State.* The minister, judge or justice of the
 3 peace, or if the marriage is celebrated according to the rules and principles of a
 4 religious society, church or denomination, and there be no minister, then the
 5 clerk or secretary of such society, church or denomination, shall, within thirty
 6 days after such marriage is solemnized, make a certificate thereof, and return
 7 the same together with the license, if one has been issued, to the clerk of the
 8 county in which the *license was issued*, or to his successor in office.

Sec. 11. The county clerk, upon receiving such certificate, shall make a
 2 registry thereof in a book to be kept in his office for that purpose only, which
 3 registry shall contain the christian and surnames of the parties, the time *and*
 4 *place* of their marriage, and the name of the person certifying the same; he
 5 shall also at the same time indorse on such certificates the time when the same
 6 is registered and shall number and carefully preserve the same.



- 1 Introduced by Mr. Frisch, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 4 of "An Act to revise the law in relation to deadly weapons," approved and in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Section 4 of "An Act to revise the law
3 in relation to deadly weapons," approved and in force July 1, 1919, is amended
4 to read as follows:

Sec. 4. It shall be unlawful for any person to carry concealed upon his per-
2 son any pistol, revolver, or other firearm, without a written license therefor,
3 issued as hereinafter prescribed in this section. It shall be the duty of THE
4 CHIEF EXECUTIVE OFFICER IN CITIES, VILLAGES AND TOWN-
5 SHIPS IN THE STATE, upon written application therefor, and upon satisfac-
6 tory proof of good moral character and that proper cause exists for the issuance
7 therefor, to issue a license to any citizen of the State of Illinois to carry con-
8 cealed a pistol or revolver.

9 The application for a license shall be sworn to by the applicant and shall
10 state the particular cause, reason or condition for such application, and shall
11 be accompanied by the affidavits of two reputable householders, residents of
12 the county in which the application is made, WHO shall certify from personal
13 knowledge to the good moral character of the applicant, and that they have
14 investigated the particular cause, reason or condition assigned in the applica-
15 tion and believe the same to be true and correct. The license so issued shall
16 state the particular cause, reason or condition for its issuance and shall contain
17 the names of the persons whose affidavits accompany the application. Any
18 license issued in pursuance of the provisions of this section may be limited as
19 to the period for which issued and may be vacated and canceled at any time for
20 good cause by THE CHIEF EXECUTIVE OFFICER issuing the same. Con-
21 viction of a licensee for a felony shall operate as a revocation of any such
22 license.



- 1 Introduced by Mr. Hart, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 1 and the title of "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employes appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities,' approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town," approved May 31, 1911, in force July 1, 1911, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 1 of "An Act to provide for the formation and disbursement of a pension fund in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants for municipal employes appointed to their positions under and by virtue of an Act entitled, 'An Act to regulate the civil service of cities,' approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are

8 now in the service of such city, village or town," approved May 31, 1911, in
9 force July 1, 1911, as amended.

Sec. 1. Hereafter in cities, villages and incorporated towns having a population exceeding 100,000 inhabitants, there shall be created, established and maintained a pension fund for municipal employees who are employed in such cities, villages and towns, under and by virtue of an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and for those who were appointed prior to the passage of said Act and who are now in the service of such city, village or town, *and in all other cities, villages and incorporated towns, the city council or board of trustees may establish and maintain a pension fund for municipal employees who are or who may be thereafter in the service of such city, village or town:* Provided, however, that the provisions of this Act shall not apply to probationary employees, nor to employees who are less than twenty-one years of age, nor to those defined, as sixty-day employees by said Act, nor to any employee who is sixty or more years of age at the time this Act is in force and effect and who at said time has not been in the service of such city, village or town for at least ten years, nor to any employee of such city, village or town now or hereafter participating in any other municipal pension fund. Nor to laborers, unless any such laborer shall within six months after this Act shall be in force and effect, or in the event that any such laborer is not now in the employ of such city, village or town, within six months after such laborer shall enter the service of such city, village or town, give written notice of his election to the board of trustees of said fund of his desire to participate in the benefits hereunder.

Said fund shall consist of amounts of two dollars and fifty cents a month retained or deducted by the comptroller of such city, village or town from the salaries or wages of each employee and such other sums as are hereinafter referred to: *Provided, however, that if the name of any such employee shall not appear upon the pay-roll of the department in which he or she is employed by reason of leave of absence, sickness, lack of work, or any other good and suffi-*

29 cient cause, making a deduction impossible, such employee may retain his or
30 her rights under this Act by paying two dollars and fifty cents each month to
31 the treasurer of such city, village or town for the benefit of said fund, during
32 his or her temporary absence from the service. In computing the duration of
33 service of each employee, the time during which he or she may have been
34 absent from duty during his or her entire term of service, for any cause other
35 than suspension or discharge, shall be included.

36 There shall be set apart during the year 1917, by such cities, villages or
37 towns, from the revenue collected or received by such cities, villages and towns
38 from licenses issued by such cities, villages and towns authorizing persons and
39 corporations to engage in any business, professions or occupations within the
40 corporate limits of such cities, villages and towns, excepting public utilities, a
41 sum equal to the amount deducted from the salaries or wages of the aforesaid
42 employees and the amounts paid to the treasurer of such city, village or town
43 by the aforesaid employees for the benefit of the fund hereby created, as pre-
44 scribed in this section, during the preceding fiscal year; and thereafter, begin-
45 ning with the year 1918, such cities, villages and towns shall set apart annually
46 from the revenues collected or received from the said sources a sum equal to
47 twice the amount deducted from the salaries or wages of the aforesaid em-
48 ployees and twice the amount paid to the treasurer of such city, village or town
49 by the aforesaid employees for the benefit of said fund, as prescribed in this
50 section, during the preceding fiscal year.

51 Such sums so set apart by such cities, villages and towns shall be paid by
52 the official or officials of such cities, villages and towns to the treasurer of the
53 pension fund hereby created, on or before the third Tuesday in August of each
54 year.

55 In lieu of setting apart the aforesaid sums, any such city, village or town
56 may levy a tax for the purpose of providing revenue for the pension fund
57 hereby created, and for that purpose it shall be lawful for any such city, vil-
58 lage or town to levy a tax on all taxable property of such city, village or town

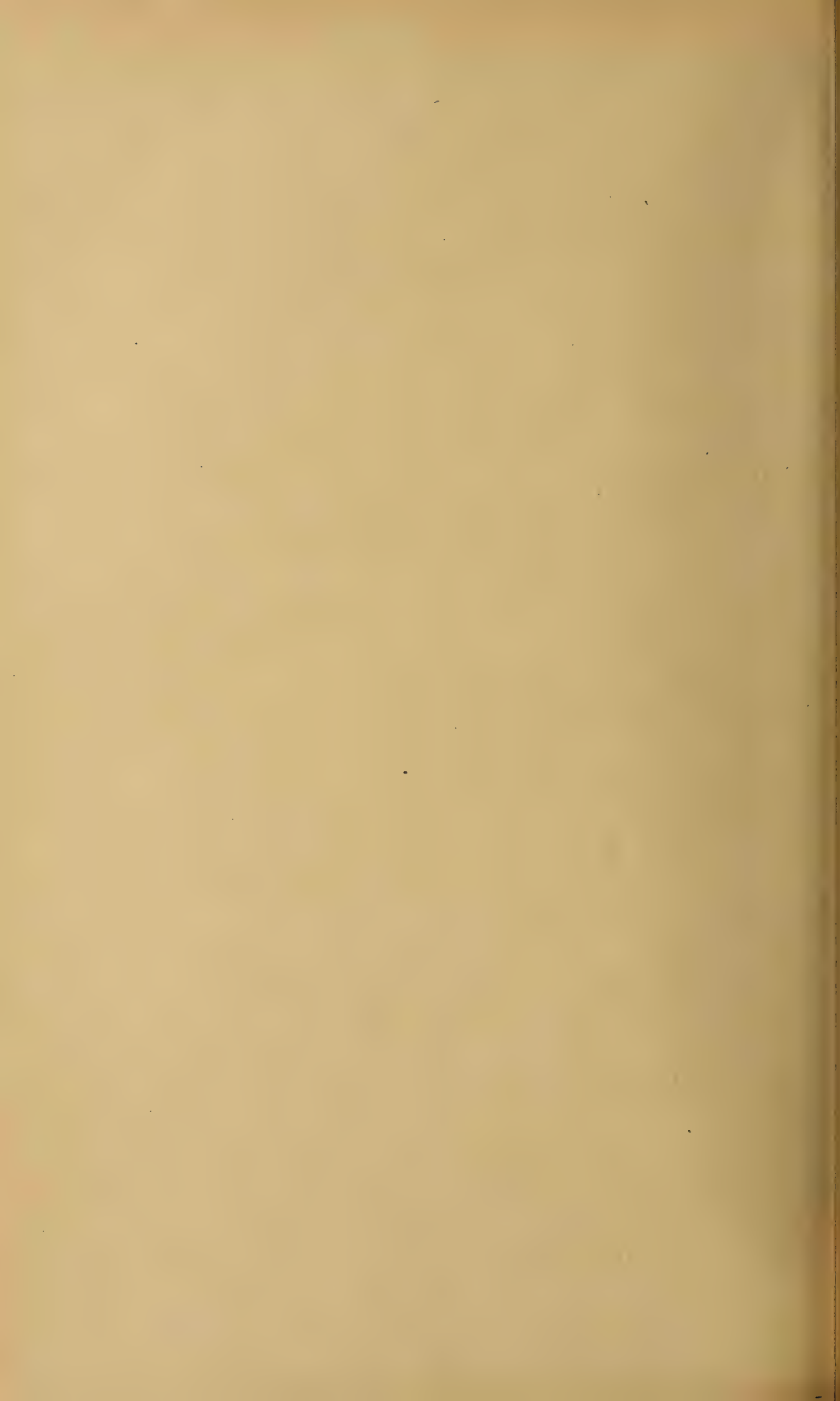
59 in such amount as will produce the sum of money equal to twice that deducted
60 from the salaries or wages of the aforesaid employees and twice that paid to
61 the treasurer of such city, village or town by the aforesaid employees for the
62 benefit of the pension fund created by this Act, as prescribed in this section,
63 during the preceding fiscal year. Said tax (which shall in no event exceed one-
64 third of a mill on the dollar) shall be levied and collected in like manner with
65 the general taxes of such city, village or town, which said tax shall be in addi-
66 tion to all other taxes which such city, village or town, is now or may hereafter
67 be authorized to levy upon the aggregate valuation of all property within such
68 city, village or town, and the county clerk of the county in which such city, vil-
69 lage or town is located, in reducing tax levies under the provisions of an Act
70 entitled, "An Act concerning the levy and extension of taxes," approved May
71 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the
72 tax for the pension fund created by this Act as a part of the general tax levy
73 for such city, village or town purposes, and shall not include the same in the
74 limitation of two (2) per cent of the assessed valuation upon which taxes are
75 required to be extended. All moneys derived from the tax so levied shall be
76 set apart by the official or officials of such city, village or town to whom same
77 shall be paid as a fund for pensioning the employees hereinbefore described of
78 such city, village or town, and shall be paid to the treasurer of the pension fund
79 created by this Act as soon as said moneys are received by said official or offi-
80 cials. Should there be insufficient funds to meet the requirements of this Act
81 during any year, such city, village or town may issue and dispose of tax antici-
82 pation warrants as provided by law against the tax levy for the current
83 fiscal year.

84 If the sum derived from the tax levied as aforesaid should exceed twice
85 that deducted from the salaries or wages of the aforesaid employees and twice
86 that paid to the treasurer of such city, village or town by the aforesaid em-
87 ployees for the benefit of said fund, as prescribed in this section, and applied to
88 this fund during the preceding fiscal year, the sum to be paid into the fund

89 during the next succeeding year shall be reduced by the amount of such excess.
90 If the sum derived from the said tax levied as aforesaid should be less than the
91 aforesaid sum of twice that deducted from the salaries or wages of the afore-
92 said employees and twice that paid to the treasurer of such city, village or town
93 by the aforesaid employees for the benefit of the fund, as prescribed in this
94 section, during the preceding fiscal year, the amount of such deficit shall be in-
95 cluded in the tax levy for the ensuing year.

96 And at the time of the payment of such moneys, collected or received from
97 licenses, or resulting from the levy and collection of the tax hereinbefore pro-
98 vided for, said official or officials shall make a sworn statement to the board of
99 trustees of said pension fund and to the mayor of such city or cities, or the presi-
100 dent of the board of trustees of such villages and towns of all moneys received
101 and paid out by such official or officials on account of said pension fund during
102 the year, and any such official or officials shall at any and all times, upon de-
103 mand by said pension board, furnish to said board a statement or information
104 of any kind relative to said official's or officials' method of collecting or hand-
105 ling of said pension funds, and all books and records of such official or officials
106 shall be produced at any time by said official or officials for examination and
107 inspection by said board of pension trustees, for the purposes herein provided.

Sec. 2. The title of said Act is amended to read as follows: "An Act to
2 provide for the formation and disbursement of a pension fund in cities, villages
3 and incorporated towns for municipal employes."



- 1 Introduced by Mr. E. A. W. Johnson, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to compel the wearing of a belt having a safety clutch by all persons
working on a swinging platform suspended on ropes.

Belts-Safety Clutch Attachment.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in the case of all persons working
3 on a swinging platform suspended on ropes, in and about repairing any build-
4 ing, factory or other structure, or washing, painting or remodeling the same
5 where the character of the work necessitates the use of a platform attached to
6 ropes which are attached to the tops of said buildings, factories or structures and
7 which platform can be raised or lowered by the use of said ropes and which
8 work is inherently dangerous owing to the said character of support;
9 It is hereby provided that all persons working on said swinging platforms
10 wear a belt having a safety clutch which is to be attached to the guide rope.

- Sec. 2. It is further provided that all persons, firms or corporations, in-
2 cluding contractors, sub-contractors or owners or leasees of buildings employing

3 workmen whose duties compel them to work on swinging platform, as set forth
4 in Section 1 of this Act, shall provide the said workmen with a belt having a safe-
5 ty clutch which is attached to a guide rope which shall be provided prior to the
6 time said workman enters upon his employment.

7 VIOLATION OF ACT MADE A MISDEMEANOR—PENALTY. Any person working on
8 a swinging platform as set forth in Section one of this Act and while employed
9 as therein set forth who shall work on said swinging platform without wearing a
10 belt having a safety clutch which is to be attached to the guide rope, or any per-
11 son, firm or corporation including contractors, sub-contractors, owners or leasees
12 of buildings employing workmen whose duties compel them to work on a swing-
13 ing platform as set forth in Section 1 of this Act, who shall fail to provide said
14 workmen with a belt having a safety clutch which is attached to a guide rope and
15 who fail to furnish the same to said workmen prior to the time said workman
16 enters upon his employment and who shall fail to comply with the provisions of
17 this Act, shall be guilty of a misdemeanor and upon conviction thereof before
18 any Court of Competent jurisdiction shall be punished by a fine of not less than
19 \$25.00 and not exceeding \$100.00.



1 Introduced by Mr. Joyce, April 12, 1921.

2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to authorize the City of Chicago to grant, convey or release certain land
to the United States of America.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the City of Chicago be and it is
3 hereby given power and authority to grant, convey or release to the United
4 States of America such part or parcel of land adjacent to the Federal harbor
5 improvement generally known as the north government pier as may be re-
6 quired by the government of the United States of America for office and stor-
7 age purposes in connection with the work of river and harbor improvement, in-
8 cluding the location and construction of a United States Engineers' office build-
9 ing, bounded on the east by Lake Michigan, such plot to extend a distance approx-
10 imately five hundred feet long in an easterly and westerly direction and to be
11 about one hundred feet wide.



- 1 Introduced by Mr. Lyon (by request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime or offenses and providing for a system of parole and to repeal certain Acts and parts of Acts therein named," approved June 25, 1917, in force July 1, 1917, as amended, by adding thereto a section to be known as Section 4a.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to the sentence and commitment of persons convicted of
4 crime or offenses and providing for a system of parole and to repeal certain
5 Acts and parts of Acts therein named," approved June 25, 1917, in force July
6 1, 1917, as amended, be and the same is hereby amended by adding thereto a
7 section to be known as Section 4a, as follows:

Sec. 4a. That every person, male or female, who shall be adjudged guilty
2 of an offense punishable by imprisonment in the county jail with or without a
3 fine, or by imprisonment in any other State institution as is or may hereafter

4 be provided by law for the incarceration, punishment, discipline, training, or
5 reformation of such class of persons other than the penitentiary, shall not be
6 imprisoned hereafter for a fixed or limited duration of such imprisonment,
7 but the sentence in such case shall be a general sentence of imprisonment to
8 the county jail or other institution, and the term of such imprisonment shall be
9 for a maximum of three (3) years, and it shall be deemed and taken as a part
10 of every such sentence as fully as though written therein that the term of
11 such imprisonment or commitment may be terminated earlier than the maxi-
12 mum by the Department of Public Welfare, by and with the approval of the
13 Governor, in the nature of a release or commutation of sentence or commit-
14 ment; and such person shall be eligible to parole at any time after being re-
15 ceived by such institution in the same manner as is now provided by law for
16 persons imprisoned in the penitentiary or in the reformatory of this State. In
17 all cases where the commitment is to any jail, house of correction, reforma-
18 tory or other penal institution provided by law or which may hereafter be pro-
19 vided by law other than the penitentiary, the Department of Public Welfare
20 shall have the power of transferring such prisoner from one institution to any
21 other to which the court might in the first instance have committed the pris-
22 oner. Nothing in this Act shall be construed as applying to persons impris-
23 oned in the reformatory of the State, who, but for their age, could have been
24 by law committed to serve in the penitentiary: *Provided*, that all provisions of
25 law with reference to the commitment of persons to any institution or institu-
26 tions for any fixed or definite period for any offense to which this section
27 shall apply, be and the same is hereby repealed.



- 1 Introduced by Mr. Lyon (By request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the Department of Public Welfare for the purchase or lease of a site for and the erection of the Illinois State Sanatorium for Women, and to defray the expenses of that institution.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The following sums for the purposes specified are appropriated to the Department of Public Welfare:

4 One hundred and fifty thousand dollars (\$150,000.00) for the purchase or
5 lease of a site for, and the erection of the Illinois State Sanatorium for Women
6 as authorized in "An Act to establish a State Sanatorium for Women," approved June 21, 1919, in force July 1, 1919;

8 Twenty-five thousand dollars (\$25,000.00) for the maintenance, management and operation of the Illinois State Sanatorium for Women.

Sec. 2. These appropriations are subject to the provisions of "An Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Lyon (by request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, by amending Section 57 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by amending Section 57 thereof, to read as follows:

Sec. 57. Whoever keeps or maintains a house of ill fame or place for the practice of prostitution or lewdness, or whoever patronizes the same, or lets any house, room or other premises for any such purpose, or shall keep a common, ill governed and disorderly house, to the encouragement of idleness, gaming, drinking, fornication or other misbehavior, shall be fined not exceeding two hundred dollars, or imprisoned in the county jail or house of correction for a period of not more than one year or both. When the lessee or keeper of a

8 dwelling house or other building is convicted under this section, the lease or
9 contract for letting the premises shall, at the option of the lessor, become
10 void, and the lessor may have the like remedy to recover the possession as
11 against a tenant holding over after the expiration of his term. And whoever
12 shall lease to another any house, room or other premises, in whole or in part,
13 for any of the uses or purposes punishable under this section, or knowingly
14 permits the same to be so used or occupied, shall be fined not exceeding two
15 hundred dollars, *or imprisoned in the county jail or house of correction for a*
16 *period of not more than one year, or both,* and the house or premises so
17 leased, occupied or used shall be held liable for and may be sold for any judg-
18 ment obtained under this section, but if such building or premises belongs to a
19 minor or other person under guardianship, then the guardian or conservator
20 and his property shall be liable instead of such ward, and his property shall
21 be subject to be sold for the payment of said judgment.



- 1 Introduced by Mr. Lyon (by request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended by adding thereto a section to be known as Section 57EA.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as amended, be and the same is hereby amended by adding thereto the following section to be known as Section 57EA.

Sec. 57EA. Any person who shall

- 2 (a) Keep, set up, maintain, or operate any place, structure, building, or
- 3 conveyance for the purpose of prostitution, lewdness, or assignation;
- 4 (b) Occupy any place, structure, building, or conveyance for the purpose
- 5 of prostitution, lewdness, or assignation;
- 6 (c) Permit any place, structure, building, or conveyance owned by him or
- 7 under his control to be used for the purpose of prostitution, lewdness, or assign-

8 nation, with knowledge or reasonable cause to know that the same is, or is to
9 be, used for such purpose;

10 (d) Receive, or offer, or agree to receive, any person into any place,
11 structure, building, or conveyance for the purpose of prostitution, lewdness,
12 or assignation, or permit any person to remain there for such purpose;

13 (e) Direct, take, or transport, or offer or agree to take or transport, any
14 person to any place, structure or building, or to any other person with knowl-
15 edge or reasonable cause to know that the purpose of such directing, taking, or
16 transporting is prostitution, lewdness, or assignation;

17 (f) Procure, or solicit or offer to procure or solicit for the purpose of pros-
18 titution, lewdness, or assignation;

19 (g) Reside in, enter, or remain in any place, structure, or building, or
20 enter or remain in any conveyance, for the purpose of prostitution, lewdness, or
21 assignation;

22 (h) Engage in prostitution, lewdness, or assignation or aid or abet pros-
23 titution, lewdness, or assignation by any means whatsoever, shall be
24 deemed guilty of a misdemeanor, and shall, upon conviction thereof, be
25 punished by imprisonment in the county jail or house of correction for a period
26 not exceeding one year and by a fine not exceeding one thousand dollars.

27 That the term "person" as used in the foregoing section shall be con-
28 strued to include male and female persons.

29 That the term "prostitution" shall be construed to include giving or receiv-
30 ing of a body for sexual intercourse for hire, and, shall also be construed to in-
31 clude the giving or receiving of the body for indiscriminate sexual intercourse
32 without hire.

33 That the term "lewdness" shall be construed to include any indecent or
34 obscene act.

35 That the term "assignation" shall be construed to include the making of
36 any appointment or engagement for prostitution or lewdness or any act in fur-
37 therance of such appointment or engagement.

38 That in the trial of any person charged with a violation of any of the pro-
39 visions of this Act, testimony of a prior conviction, or testimony concerning
40 the reputation of any place, structure or building and of the person or persons
41 who reside in or frequent the same and of the defendant shall be admissible in
42 evidence in support of the charge.

43 That the declaration by the courts of any one or more of the provisions of
44 this Act as being in violation of the Constitution of this State shall not invali-
45 date the remaining provisions.



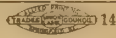
- 1 Introduced by Mr. Lyon (By request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 57a-1 of an Act entitled ,“An Act to revise the law in
relation to criminal jurisprudence.”

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 57 a-1 of an Act entitled,
3 “An Act to revise the law in relation to criminal jurisprudence,” be amended
4 so as to read as follows: .

Sec. 57 a-1. Any male or female person who is an inmate of a house of ill-
2 fame or assignation, or place for the practice of fornication or prostitution or
3 lewdness, or who shall solicit to prostitution in any street, alley, park or other
4 place in any city, village, or incorporated town in this State, shall be fined not
5 exceeding two hundred dollars, or imprisoned in the county jail or house of cor-
6 rection for a period of not more than one year, or both.



- 1 Introduced by Mr. Lyon (by request), April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit and to prescribe a penalty for the advertising of treatment or cure of venereal diseases, sexual disorders and infirmities and to define such diseases, disorders and infirmities.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any person, co-partnership, corpo-
3 ration, or association who shall advertise or publish any advertisement intended
4 to imply or to be understood that he, she or they will restore manly vigor,
5 treat or cure lost manhood, lost power, impotence, stricture, gonorrhea, chronic
6 discharges, gleet, chancre, varicocele or syphilis, or who shall post, stick, or
7 affix in any way on any surface in the State of Illinois, any sign, sticker or
8 poster containing any such advertisement, or who shall pass out or distribute
9 any hand bill, circular, card or thing containing any such advertisement, ad-
10 vertising to cure or remedy any such disease or ailment, shall be punished by
11 a fine of not less than one hundred dollars nor more than one thousand dollars,
12 or by imprisonment in the county jail for a period of not less than six months

13 nor more than twelve months, or by both such fine and imprisonment; and any
14 owner or managing officer of any newspaper in whose paper shall be printed
15 or published any such advertisement as is described in this Act, shall be deemed
16 guilty of a misdemeanor and upon conviction thereof shall be punished by a
17 fine of not less than one hundred dollars nor more than one thousand dollars,
18 or by imprisonment in the county jail for a period of not less than six months
19 nor more than twelve months, or by both such fine and imprisonment: *Pro-*
20 *vided, however,* that this Act shall not apply to public, eleemosynary or wel-
21 fare organizations or agencies maintained by taxation or by contributions of
22 charitably disposed persons for the purpose of combating or reducing the evils
23 arising from venereal diseases, and giving free treatment therefor except as to
24 reasonable charges for medicines and materials used in such free treatment.

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 618

1921



1 Adopted June 7, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 618, on page two, line 22, by adding after the word
2 “persons” the following: “whether organized as corporations for pecuniary
3 profit or otherwise, if actually organized.

AMENDMENT NO. 2.

Amend House Bill No. 618, by striking out the comma after the word “dis-
2 eases” in line 23 and inserting in lieu thereof a period and by striking out the
3 remainder of line 23 and all of line 24.

AMENDMENT NO. 3.

Amend House Bill No. 618 in Section 1, line 2 and 3, by striking out the
2 words “corporation, or association”.



1 Introduced by Mr. Maher, April 12, 1921.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled "An Act in relation to corporations for pecuniary profit."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled "An Act in relation
3 to corporations for pecuniary profit," in force July 1, 1919, be and the same is
4 hereby amended by amending Sections 2, 3, 4, 6, 8, 14, 24, 66 (paragraph 1) and
5 repealing Sections 7, 9, 11, 16, 35, 36, 46.

Sec. 2. Corporations may be organized in the manner provided in this Act
2 for any lawful purpose except for the purpose of banking, insurance, real estate
3 brokerage, the operation of railroads and the business of loaning money.

Sec. 3. Corporations may be organized hereunder for the following pur-
2 poses: Building corporations for acquiring, owning and erecting only one
3 building and the site thereof of not more than eighty thousand square feet of
4 land.

5 No corporation organized as a building corporation, as specified in this
6 section shall have any other object or purpose.

7 No corporation shall be organized under this Act as agency and loan cor-
8 porations, or real estate improvement corporations, or for any other similar
9 purpose, except as heretofore provided.

Sec. 6. Each corporation organized under this Act shall, subject to the con-
2 ditions and limitations prescribed by this Act, have the following powers, rights
3 and privileges:

4 (1) To have succession by its corporate name for the period limited in its
5 certificate of incorporation, or any amendment thereof;

6 (2) To sue or be sued in its corporate name;

7 (3) To have and use a common seal and alter the same at pleasure;

8 (4) To have a capital stock of such an amount, and divided into shares
9 with a par value, or without a par value, and to divide such capital stock into
10 such classes, with such preferences, rights, values and interests as may be pro-
11 vided in the article of incorporation, or any amendment thereof;

12 (5) To acquire, and to own, possess and enjoy so much real and personal
13 property as may be necessary for the transaction of the business of such cor-
14 poration, and to lease, mortgage, pledge, sell, convey or transfer the same;

15 (6) To elect officers, appoint agents, define their duties and fix their com-
16 pensation;

17 (7) To lease, exchange or sell all of the corporate assets with the consent
18 of two-thirds of all of the outstanding capital stock of the corporation at any
19 annual meeting or at any special meeting called for that purpose;

20 (8) To make by-laws not inconsistent with the laws of this State for the
21 administration of the business and interests of such corporation;

22 (9) To conduct business in this State, other states, the District of Colum-
23 bia, the territories, possessions and dependencies of the United States and in
24 foreign countries and to have one or more offices out of this State, and to hold,

25 purchase, mortgage, and convey real and personal property outside of this
26 State necessary and requisite to carry out the object of the corporation;

27 (10) In time of war to transact any lawful business in aid of the United
28 States in the prosecution of war, to make donations to associations and organi-
29 zations aiding in war activities and to loan money to the State or Federal gov-
30 ernment for war purposes;

31 (11) To cease doing business and to surrender its charter;

32 (12) To have and exercise all the powers necessary and convenient to
33 carry into effect the purpose for which such corporation is formed.

Sec. 8. No corporation shall purchase, acquire or hold, directly or indi-
2 rectly, the stock of a building corporation or any other corporation.

Sec. 14. All corporations heretofore organized under the laws of this or
2 any other state, whose powers may have expired by limitation or otherwise,
3 shall continue their corporate capacity for a period of two years for the purpose
4 only of collecting debts due such corporation and selling and conveying the
5 property and effects thereof. •

6 Such corporations shall use their respective names for such purposes and
7 shall be capable of prosecuting and defending all suits at law or in equity.

Sec. 24. The name of a proposed corporation shall indicate that it is a
2 corporation. The name of a natural person or co-partnership may be assumed
3 when as a part of the corporate name the word "corporation," "incorpo-
4 rated," "limited" or the abbreviations thereof is added.

5 No corporation organized under this Act shall use as a part of such name
6 the word "bank," "banking," "insurance," "assurance," "surety," "in-
7 demnity," "savings," or any abbreviation thereof.

8 No corporation shall be organized or admitted to do business in this State
9 with a name the same as or similar to that of any other corporation then exist-
10 ing under the laws of this State or authorized to do business in this State.

11 No corporation shall, by certificate of amendment to its articles of incorpo-
12 ration, assume a name the same as or similar to that of any other corporation
13 then existing under the laws of this State or authorized to do business in this
14 State.

Sec. 66. Merger or consolidation shall be subject to the following:

2 (1) It shall be unlawful for two or more buildings corporations to merge
3 or consolidate;



- 1 Introduced by Mr. Mooneyham, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act in relation to surveys, plans, specifications and estimates for the improvement of the Big Muddy River for navigation purposes, and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings shall cause surveys to be made of the Big Muddy River and shall pre-
4 pare plans, specifications and estimates for the following improvements:

5 1. From the intersection of the Big Muddy River with the boundary line
6 between Jefferson and Franklin counties to a point near Sand Ridge in Jackson
7 county, the channel of the stream to be improved by deepening, straightening
8 and widening, and, if necessary, by levees for the reclamation of submerged
9 land; and

10 2. From a point near Sand Ridge to the Mississippi River an artificial canal
11 to be constructed with the necessary locks, spillways, prisms and dams.

12 The improvements, herein specified, shall provide for a channel for said

13 stream from its intersection with the boundary line between Jefferson and Frank-
14 lin counties, to the mouth of the canal, navigable for river and canal craft.

Sec. 2. For the purpose of carrying out the provisions of this Act, there is
2 appropriated to the Department of Public Works and Buildings the sum of ten
3 thousand dollars (\$10,000).

Sec. 3. The appropriation herein made is subject to the provisions of "An
2 Act in relation to State Finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Pierce, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend Sections 1, 2, 3, 4 and 5, of an Act entitled, "An Act to regulate and limit the hours of employment of females in any mechanical establishment, or factory, or laundry, hotel or restaurant, or telegraph or telephone establishment or office thereof, or in any place of amusement, or by any express or transportation or public utility business or by any common carrier, or in any public institution, incorporated or unincorporated, in this State, in order to safeguard the health of such employees; to provide for its enforcement and a penalty for its violation," approved June 15, 1909, in force July 1, 1909; as amended by an Act approved June 10, 1911, in force July 1, 1911, and to add five additional sections thereto, to be known as Sections 6, 7, 8, 9 and 10, and to amend the title of said Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections 1, 2, 3, 4 and 5 of an Act entitled, "An Act to regulate and limit the hours of employment of females in any mechanical or mercantile establishment or factory, or laundry, hotel or

5 restaurant, or telegraph or telephone establishment or office thereof, or in any
 6 place of amusement, or by any express or transportation or public utility busi-
 7 ness, or by any common carrier, or in any public institution, incorporated or
 8 unincorporated, in this State, in order to safeguard the health of such employees;
 9 to provide for its enforcement and a penalty for its violation," approved June
 10 15, 1909, in force July 1, 1909; as amended by an Act approved June 10, 1911,
 11 in force July 1, 1911, be and the same are hereby amended and that five addi-
 12 tional sections to be known as Sections 6, 7, 8, 9 and 10, be added thereto, and the
 13 title of said Act shall be amended and the same shall read as follows:

Section 1. That no female shall be employed in any mechanical or mercan-
 2 tile establishment, or factory, or laundry, or hotel or restaurant, *or hospital*, or
 3 telegraph or telephone establishment, or in *any* office, or in any place of amuse-
 4 ment, or by any person, firm or corporation engaged in any express or transpor-
 5 tation or public utility business, or by any common carrier, or in any public
 6 institution, incorporated or unincorporated in this State, more than *eight* hours
 7 during any one day *nor more than forty-eight hours in any one week*. The
 8 hours of work may be so arranged as to permit the employment of females at
 9 any time so that they shall not work more than *eight hours* during the twenty-
 10 four hours of any day *nor more than forty-eight hours in any week*: *Pro-*
 11 *vided, that the provisions of this section shall not apply to graduate nurses or*
 12 *nurses while in service in operating rooms, or on obstetrical cases.*

Sec. 2. Any employer who shall require or permit or suffer any female to
 2 work in any of the places mentioned in Section 1 of this Act more than the num-
 3 ber of hours provided for in this Act, during any day of twenty-four hours, *or*
 4 *during any week*, or who shall fail, neglect or refuse so to arrange the work of
 5 females in his employ that they shall not work more than the number of hours
 6 provided for in this Act, *during the periods herein provided*, shall be guilty of
 7 a misdemeanor and upon conviction thereof *in any court of competent jurisdic-*
 8 *tion* shall be fined upon the first conviction *for this offense in the sum of not*

9 *less than ten dollars or more than thirty-five dollars; upon second convictions*
10 *not less than fifty dollars nor more than one hundred dollars; and upon third*
11 *convictions and all subsequent convictions not less than one hundred dollars nor*
12 *more than five hundred dollars; or in the discretion of the court such employer*
13 *may, upon second and subsequent convictions, either be imprisoned in the county*
14 *jail for not less than one month nor more than six months, or fined as above pro-*
15 *vided, or both fined and imprisoned. In all cases where the employer has been*
16 *found guilty under this Act, he shall stand committed until the fine and costs*
17 *imposed upon him by the court shall be paid.*

Sec. 3. *The term "employer" as used in this Act shall include every per-*
2 *son, firm or corporation, or agent, or manager of any person, firm or corpora-*
3 *tion employing females in the business specified in Section 1 of this Act.*

Sec. 4. *The Department of Labor shall be charged with the duty of en-*
2 *forcing the provisions of this Act and prosecuting all violations thereof.*

Sec. 5. *Every employer to whom this Act shall apply shall keep a time*
2 *book or record containing all the names and addresses of all female employees*
3 *and showing for each day that his establishment is open the hours during which*
4 *each and every female in his employ to whom this Act applies is employed.*
5 *Such time book or record shall be open at all reasonable hours to the inspection*
6 *of the officials of the Department of Labor. The failure or omission to keep*
7 *such record or any false statement made by any person to an official of the*
8 *Department of Labor, in reply to any question put by such an official in carry-*
9 *ing out the provisions of this Act, shall be a misdemeanor and shall be punish-*
10 *able on conviction by a fine of not more than twenty-five dollars for each*
11 *offense and any person so convicted shall stand committed until such fine and*
12 *costs shall be paid.*

Sec. 6. *Every employer to whom this Act applies shall post in a conspic-*
2 *uous place in every room where such women are employed a printed notice in*

3 the form which shall be prescribed by the Department of Labor, which notice
 4 shall state the hours of commencing and stopping work and the hours when the
 5 time or times allowed for dinner or for other meals shall begin and end, and
 6 the employment of any such women for a longer time in any day than is so
 7 stated shall be a misdemeanor and subject the person convicted of the same to
 8 the penalty provided in Section 5 of this Act.

Sec. 7. Any employer who discharges or in any manner discriminates
 2 against any employee because such employee has testified or is about to testify,
 3 or because such employer believes that the employee may testify in any action,
 4 proceeding or investigation for the enforcement of any provisions of this Act,
 5 shall be deemed guilty of a misdemeanor and the person convicted of the same
 6 shall be subject to the penalty provided in Section 5 of this Act.

Sec. 8. Every employer to whom this Act applies shall post in a conspic-
 2 uous place in every room where such females are employed a printed copy of
 3 this Act. Such copies shall be furnished by the Department of Labor, and
 4 shall be printed in English, and in such other languages as may be necessary
 5 to make them intelligible to the employees covered by the provisions of this
 6 Act.

Sec. 9. Any employer, firm or corporation, agent or manager, superin-
 2 tendent, or foreman of any person, firm or corporation, whether for himself or
 3 for such person, firm or corporation, or by himself or through a subagent or fore-
 4 man, superintendent or manager who shall refuse admittance to premises or
 5 otherwise obstruct the factory inspector, assistant factory inspector or deputy
 6 factory inspector in the performance of their duties as prescribed by this Act,
 7 shall be deemed guilty of a misdemeanor and upon conviction thereof shall be
 8 fined not less than five dollars nor more than one hundred dollars for each
 9 offense, and shall stand committed until such fine and costs shall be paid.

Sec. 10. All Acts and parts of Acts in conflict herewith are hereby repealed.

2 *The title of said Act shall be amended to read as follows:* “An Act to regu-
3 late and limit the hours of employment of females in any mechanical or mer-
4 cantile establishment, or factory, or laundry, or hotel, or restaurant, or hos-
5 pital, or telegraph or telephone establishment, or in *any* office, or any place of
6 amusement, by any express or transportation or public utility business, or by
7 any common carrier, or in any public institution, incorporated or unincorpo-
8 rated, in this State, in order to safeguard the health of such employees, to
9 provide for its enforcement and penalties for its violation.



- 1 Introduced by Mr. Remus, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend Section 1 of an Act entitled, "An Act in relation to the taxation of non-resident corporations, companies and associations for the privilege of doing an insurance business in this State," approved June 28, 1919, in force July 1, 1919.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 of an Act entitled, "An Act in relation to the taxation of non-resident corporations, companies and associations for the privilege of doing an insurance business in this State," approved June 28, 1919, in force July 1, 1919, be and the same is hereby amended to read as follows:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That each non-resident corporation, company and association licensed and admitted to do an insurance business in this State shall, except as herein otherwise provided, pay an annual State tax for the privilege of doing an insurance business in this State, equal to two per

6 centum on the gross amount of premiums received during the preceding calen-
7 dar year on contracts covering risks within this State, which gross amount
8 of premiums shall include all premiums received during the preceding calendar
9 year on all policies, annuity contracts, certificates, renewals, policies subse-
10 quently cancelled, insurance and reinsurance executed, issued and delivered
11 during such preceding calendar year, and all premiums that are received dur-
12 ing such preceding calendar year on all policies, annuity contracts, certificates,
13 renewals, policies subsequently cancelled, insurance and reinsurance executed,
14 issued and delivered in all years prior to such preceding calendar year, whether
15 such premiums were in the form of money, notes, credits or any other substi-
16 tute for money, after deducting from such gross amount of premiums the
17 amount of returned premiums on cancelled policies covering risks within this
18 State (but returns on life insurance policies, commonly known as surrender
19 values, shall not be considered returned premiums on cancelled policies); also
20 the amount paid for reinsurance of risks within this State to companies
21 duly licensed to transact business in this State, and also the amount returned
22 to holders of policies on risks within this State as dividends, paid in cash or
23 applied in the reduction of premiums.

24 There shall be deducted from the tax thus computed the amount (if any)
25 paid by such corporation, company or association, to cities and villages as a
26 tax on premiums received by such corporation, company or association in such
27 cities and villages during the preceding calendar year for the benefit of or-
28 ganized fire departments, and the remainder shall be assessed against such
29 corporation, company or association as its annual privilege tax.

30 This Act shall apply to all corporations, companies, and associations organ-
31 ized under the laws of any other State, territory or foreign country and ad-
32 mitted to transact the business of insurance in this State on the stock, mutual,
33 stock and mutual, or assessment plan. This Act, however, shall not apply to
34 fraternal beneficiary associations or societies.

35 The tax herein provided for shall *not prevent cities, villages and towns*
36 *from imposing* license fees or privilege or occupation taxes upon any such cor-
37 poration, company or association, or any of its agents, for the privilege of
38 doing an insurance business therein; *nor shall* this Act be construed to pro-
39 hibit the levy and collection of any State, county or municipal taxes upon the
40 real and personal property of such corporations, companies and associations,
41 nor to prohibit the levy and collection of taxes for the benefit of organized fire
42 departments in cities and villages, nor to prevent the levy and collection of
43 taxes for the purpose of maintaining the office of the Fire Marshal of this
44 State and paying the expenses incident, nor to prevent the levy and collection
45 of the tax authorized by Section 30 of an Act entitled, "An Act to incorporate
46 and to govern fire, marine and inland navigation insurance companies doing
47 business in the State of Illinois," approved March 11, 1869, in force July 1,
48 1869, as amended.



- 1 Introduced by Mr. Arthur Roe, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to define and establish the rights of parties in interplea.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* That in all actions or proceedings in any
- 3 court in this State, where any person other than the defendant, claiming any
- 4 right or property involved in any litigation, has the right to interplead, or the
- 5 court grants on motion made in such case, any person the right to interplead,
- 6 then the defendant and any officer or other person having possession or control
- 7 of any property or right involved in such interplea, shall be regarded as a de-
- 8 fendant in such interplea, and bound by any and all proceedings and orders made
- 9 by such court relating to the matters involved.
- 10 The court may make such order relating to costs in such proceedings as to
- 11 the court appears right and just.



- 1 Introduced by Mr. Frank Ryan, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on License and
Miscellany.

A BILL

For an Act to provide for the regulation of horse racing

SECTION 1. *Be it enacted by the People of the State of Illinois.*

2 *represented in the General Assembly:* There is created a State Racing Com-
3 mission to consist of three persons to be appointed by the Governor with the
4 advice and consent of the Senate. The members of the Racing Commission shall
5 be appointed for a term of five years and shall hold office until their successors
6 are appointed and qualified. No member of the Commission may receive a lie-
7 ense under this Act or be a member, stockholder, officer or employe of any cor-
8 poration or association which is liscensed under this Act to hold a race meeting.

Sec. 2. The Commision shall appoint a secretary who shall hold office at
2 the pleasure of the Commission. The secretary shall keep a complete and faith-
3 ful record of the proceedings of the Commission and preserve at the general
4 office of the Commission all books, maps, documents and papers intrusted to his
5 care and perform such other duties as the Commission may prescribe.

Sec. 3. Each member of the State Racing Commission shall receive thirty-
2 six hundred dollars annually and the secretary shall receive three thousand dol-
3 lars annually.

Sec. 4. Any person or association of whatever nature which desires to
2 hold a meeting within this State at which horse racing will be permitted for any
3 stake purse or reward, shall apply to the State Racing Commission for a license
4 to hold such meeting. Each application must state the days and the place for
5 which a license is desired and must be filed at least ninety days before the first
6 day on which it is proposed to hold the meeting. The applications shall be on
7 forms furnished by the Commission and must contain such data as the Commis-
8 sion may prescribe.

Sec. 5. Before a license is issued to any applicant, he shall be required to
2 file bond with the Commission conditioned to pay to the Commission all amounts
3 hereinafter required to be paid and to conduct the meeting in accordance with
4 law and the rules, regulations and conditions made by the Commission. The
5 bond shall be in such amount and with such security as the Commission may pre-
6 scribe but in no case shall the amount of such bond be less than two thousand
7 dollars for each day of the race meeting.

Sec. 5. Race meetings shall be permitted only during the period from the
2 fifteenth day of April to the fifteenth day of October in each year. No racing
3 shall be permitted on Sunday nor between sunset and sunrise. No race meeting
4 shall be for more than thirty days. No more than two meetings shall be per-
5 mitted in any one county in any year and no licensee shall be permitted to hold
6 more than two meetings in any one year.

Sec. 6. The Commission shall have full power to regulate and prescribe the
2 conditions under which any race meeting may be held and may fix or regulate
3 the rate of charge for admission and the size of the stakes, purses or rewards
4 which may be offered.

Sec. 7. Any licensee conducting a race meeting may provide an enclosure
2 on the race meeting grounds in which bets may be placed on the races on a paris
3 mutual basis. No other method of betting, pool making, or gambling shall be
4 permitted. Each licensee shall collect five per cent of all bets placed and shall
5 pay ten per cent of the amount thus collected to the State Racing Commission.
6 No person shall be permitted to enter this enclosure who is not twenty-one years
7 of age.

Sec. 8. Each licensee shall pay over to the Racing Commission ten per cent
2 of all receipts from admissions, concessions, and all sources whatever. In order
3 that the Commission may collect all moneys that a licensee is required to pay
4 over, it is authorized to prescribe methods of accounts and reports from licen-
5 sees and may appoint inspectors to be present at any race meeting.

Sec. 9. Any person who conducts a meeting at which horse racing is per-
2 mitted for any stake, purse or reward without a license issued under the provis-
3 inos of this Act, upon conviction shall be fined not less than two thousand dol-
4 lars nor more than five thousand dollars.

Sec. 10. Nothing contained in this Act shall be taken to apply to county
2 fair associations nor to the State fair. No license shall be issued under this Act
3 to any county fair association.



- 1 Introduced by Mr. James W. Ryan, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Waterways.

A BILL

For an Act in relation to the construction of a deep-water harbor in Lake Calumet
in the City of Chicago, and granting lands of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* A harbor, having a basin and slips, a
3 depth of not less than minus twenty-one and thirty-four one hundredths (21.34)
4 feet Chicago datum and a total area of not less than five hundred (500) acres
5 of which not less than three hundred (300) acres shall be in the basin, may be
6 constructed in and near Lake Calumet, in the City of Chicago.

Sec. 2. Certain terms used in this Act shall be construed as follows:

2 (a) The term "harbor" shall refer only to water-area and not to lands
3 adjacent thereto.

4 (b) The term "Harbor Act of 1913" shall refer to that certain Act
5 entitled, "An Act to enlarge the power of cities and villages in relation to
6 harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters
7 and all harbor structures, facilities, connections, improvements and utilities

8 constructed or operated in connection therewith and for the purpose of carry-
 9 ing out such power to authorize the acquisition and condemnation of property
 10 and to authorize the use, occupation, recovery, and acquisition of artificially
 11 made or reclaimed lands of the State and the reclamation and acquisition of
 12 the submerged lands of the State, and to repeal an Act entitled, 'An Act to
 13 enlarge the power of cities in relation to harbors, canals, wharves, docks, piers,
 14 slips and other harbor structures, facilities, improvements and utilities con-
 15 structed or operated in connection therewith, to authorize the acquisition and
 16 condemnation of property and the use, occupation, reclamation and acquisition
 17 of the submerged lands of the State in carrying out such power, and to repeal
 18 all Acts or parts of Acts in conflict therewith,' approved June 10, 1911, and to
 19 repeal all other Acts or parts of Acts in conflict therewith," approved June
 20 23, 1913, in force July 1, 1913, and all amendments thereof.

Sec. 3. A plan showing the form and location of such harbor may be
 2 prepared by the City of Chicago and submitted to the Department of Public
 3 Works of the State of Illinois for approval and the approval of such plan by
 4 said department shall be conclusive evidence, for all purposes, that such plan
 5 in every respect conforms to the provisions of this Act specifying the minimum
 6 areas of the harbor and of its basin, respectively.

Sec. 4. There is hereby granted to the City of Chicago all the right, title
 2 and interest of the State of Illinois in and to the lands constituting the bed of
 3 said Lake Calumet and in and to the lands, formerly part of the bed of said
 4 lake, which have been artificially made or reclaimed; excepting, however, (a) so
 5 much of said lands as shall fall within the limits of the harbor as determined
 6 by the plan thereof when approved by said Department of Public Works, and
 7 (b) so much of said lands as may be granted to any owner of lands on the
 8 shores of said lake by decree of the Circuit Court of Cook County confirming
 9 a boundary line established by agreement, whether heretofore or hereafter
 10 entered into, between said City and such shore owner under authority con-
 11 ferred by said Harbor Act of 1913.

Sec. 5. The acceptance of the foregoing grant of lands by the City Council
2 of the City of Chicago shall obligate said City to construct such harbor and
3 to maintain it to the depth hereinbefore stated.

Sec. 6. The City of Chicago may use for any of the purposes authorized
2 by the Harbor Act of 1913, may sell and convey and may lease for any term of
3 years any part or parts or all of the lands granted to said City by this Act.

Sec. 7. All moneys received by the City of Chicago from the sale or lease
2 of lands granted to said City by this Act shall be credited to a fund which
3 shall be called the Lake Calumet Harbor Fund and all moneys expended by said
4 City for any purpose in relation to the lands granted to said City by this Act or
5 in relation to the construction and maintenance of the harbor may be charged
6 to said fund; and said fund shall be used for no other purpose.

Sec. 8. The Sanitary District of Chicago, hereinafter called the Sanitary
2 District, is hereby authorized and empowered to construct and maintain such
3 harbor, provided the City of Chicago, under authority conferred by said
4 Harbor Act of 1913, shall by ordinance permit or authorize the Sanitary Dis-
5 trict to construct such harbor; and the Sanitary District is hereby authorized
6 and empowered to accept such ordinance.

Sec. 9. In the event of the passage of such ordinance by the City of Chi-
2 cago, the acceptance thereof by the Sanitary District and the filing of a certified
3 copy of such ordinance and acceptance in the office of the Recorder of Deeds
4 of the County of Cook, the following provisions of this Section shall apply and
5 become operative:

6 (a) The Sanitary District shall, automatically, become seized and pos-
7 sessed of and shall own and enjoy all the then right, title and interest of the
8 City of Chicago and of the State of Illinois in and to the lands granted to said
9 City by this Act and in and to any and all unpaid indebtedness for the purchase

10 money on sales made by said City of any of the lands granted to said City by
11 this Act.

12 (b) The Sanitary District may sell and convey and may lease, for any
13 term of years, any part or parts or all of the lands which may be required by
14 the Sanitary District under the provisions of this Act.

15 (c) The Sanitary District shall pay to the City of Chicago the then debit
16 balance of the Lake Calumet Harbor Fund or said City shall pay to the Sani-
17 tary District the then credit balance of such fund, as the case may be, and the
18 Sanitary District shall charge or credit such balance to a fund of the same
19 name.

20 (d) All moneys received by the Sanitary District from the sale or lease of
21 the lands or on the indebtedness for part purchase moneys acquired by the
22 Sanitary District under the provisions of this Act shall be credited to said Lake
23 Calumet Harbor Fund and all moneys expended by the Sanitary District for
24 any purpose in relation to the lands acquired by the Sanitary District under the
25 provisions of this Act or in relation to the construction and maintenance of the
26 harbor may be charged to said fund; and said fund shall be used for no other
27 purpose.

28 (e) The obligation to construct and maintain such harbor, to the depth
29 stated, shall rest on the Sanitary District and the City of Chicago shall be re-
30 leased therefrom.

31 (f) In addition to all other taxes authorized by law, the Sanitary District
32 is hereby authorized and empowered to levy and collect, in each of four (4)
33 consecutive years, a tax of one-half ($\frac{1}{2}$) of one (1) mill on each dollar of taxable
34 property embraced in said Sanitary District according to the valuation of the
35 same as made for the purposes of State and County taxation by the general
36 assessment last preceding the time when such additional tax shall be levied;
37 and the proceeds of such additional tax shall be credited to such Lake Calumet
38 Harbor Fund: *Provided*, that the County Clerk, in extending said additional
39 tax upon the taxable property within the Sanitary District, shall not in any

40 event reduce the same, and that said additional tax shall not be included in the
41 two (2) per cent limitation nor subject to the provisions of an Act entitled,
42 "An Act concerning the levy and extension of taxes," approved May 9, 1901,
43 in force July 1, 1901, as subsequently amended.



1 Adopted June 1, 1921.

AMENDMENT NO. 1.

Amend printed House Bill No. 625, on page 2, Section 3, by adding at the
2 end of said section, the following words: "such plan, after being so approved,
3 shall not be changed except with the approval of said department. The harbor
4 shall be constructed in strict accordance with such approved plan."

AMENDMENT NO. 2.

Amend printed House Bill No. 625, on page 3, Section 5, by adding after
2 the word "harbor" in line 2, the following: "according to the plan as approved
3 under the provisions of Section 3."

AMENDMENT NO. 3.

Amend printed House Bill No. 625, on page 3, Section 6, by adding at the
2 end of said section, the following: "Before any such sale or lease shall become
3 effective, such sale or lease shall be approved in writing by the Director of
4 Public Works and Buildings of the State of Illinois and, in case of approval,
5 there shall be affixed to the instrument by which such sale or lease is effected the
6 seal of the Department of Public Works and Buildings of the State of Illinois."

AMENDMENT NO. 4.

Amend printed House Bill No. 625, on page 4, Section 9, by striking all
2 of lines 12, 13 and 14 and inserting in lieu thereof the following words: "(b)
3 The Sanitary District may sell and convey and may lease for any term of years,

4 any part or parts or all of the lands which may be acquired by the Sanitary
5 District under the provisions of this Act. Before any such sale or lease shall
6 become effective it shall be approved in writing by the Director of Public Works
7 and Buildings of the State of Illinois and, in case of approval, there shall be
8 affixed to the instrument by which such sale or lease is effected the seal of the
9 Department of Public Works and Buildings of the State of Illinois.”

AMENDMENT NO. 5.

Amend printed House Bill No. 625, on page 4, Section 9, line 28, by adding
2 after the word “harbor” the following words: “according to the plan as ap-
3 proved under the provisions of Section 3 and.”



- 1 Introduced by Mr. Scanlan, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to appropriate the unexpended balance of the appropriation made by an Act entitled: "An Act to assemble a convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, in force July 1, 1919.

WHEREAS: The convention provided for in "An Act to assemble a convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, in force July 1, 1919, did convene on January 6, 1920, and was in session during the greater part of the year 1920; and

WHEREAS: Said convention has taken a recess until September 6, 1921; and

WHEREAS: There was at the close of business on March 14, 1921, an unexpended balance of One Hundred Eighty Thousand, One Hundred Eighty-one Dollars and Eighty-one Cents (\$180,181.81) of the Five Hundred Thousand Dollars (\$500,000) that was appropriated to said convention by said above named

10 Act approved June 21, 1919, in force July 1, 1919, which said unexpended bal-
11 ance will lapse according to law before the convention can complete its work
12 therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and hereby is appropriated
3 to the Constitutional Convention the unexpended balance at the close of business,
4 June 30, 1921, of the sum appropriated by an Act entitled: "An Act to assemble
5 a convention to revise, alter or amend the Constitution of the State of Illinois,"
6 approved June 21, 1919, in force July 1, 1919, said balance being One Hundred
7 Eighty Thousand, One Hundred Eighty-one Dollars and Eighty-one Cents
8 (\$180,181.81) at the close of business on March 14, 1921, and for the purposes
9 and subject to the terms and conditions in said above mentioned Act set forth.



- 1 Introduced by Mr. Peter F. Smith, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend sections 8, 15 and 17 of an Act entitled, "An Act in relation to a Municipal Court in the City of Chicago," approved May 18, 1905, in force July 1st, 1905, as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 8, 15, and 17 of an Act en-
3 titled, "An Act in relation to a Municipal Court in the City of Chicago," ap-
4 proved May 18, 1905 and in force July 1st, 1905 as subsequently amended, be
5 and the same are hereby amended to read as follows:

Sec. 8. That said Municipal Court shall consist of twenty-eight (28) jud-
2 ges, one of whom shall be chief justice and the remaining twenty-seven (27) of
3 whom shall be associate judges. Each branch court shall be presided over by a
4 single judge of the Municipal Court. The chief justice, in addition to the exer-
5 cise of all the other powers of a judge of said court, shall have the general su-
6 perintendence of the business of said court; he shall preside at all meetings of the
7 judges, and he shall assign the associate judges to duty in the branch courts,

8 from time to time, as he may deem necessary for the prompt disposition of the
9 business thereof, and it shall be the duty of each associate judge to attend and
10 serve at any branch court to which he may be so assigned, but the chief justice
11 shall only assign such number of judges to the trial and disposition of cases of
12 the first class and cases of the second class mentioned in section two (2) of this
13 Act, from time to time, as may not be needed for the prompt disposition of the
14 other business of the court. The chief justice shall also superintend the prepar-
15 ation of the calendars of cases for trial in said court and shall make such classi-
16 fication and distribution of the same upon different calendars as he shall deem
17 proper and expedient. Each associate judge shall, at the commencement of each
18 month, make to the chief justice, under his official oath, a report in writing of
19 the duties performed by him during the preceding month, which report shall
20 specify the number of days' attendance in court of such judge during such
21 month, and the branch courts upon which he has attended, and the number of
22 hours per day of such attendance, for which the chief justice shall cause suitable
23 blanks to be prepared and furnished to the associate judges. Each judge shall
24 be entitled to vacations, which shall not exceed thirty-six days in all in one year,
25 and which shall be taken at such times as may be determined by the chief justice.
26 The chief justice must give his attention faithfully to the discharge of the du-
27 ties especially pertaining to his office and to the performance of such additional
28 judicial work as he may be able to perform. Each associate judge must per-
29 form his share of the labors and duties appertaining to the office. At least one
30 associate judge must be in attendance in one branch court in each district three
31 hours of each day, except Sunday, a public holiday, or a day upon which the in-
32 habitants of the City of Chicago generally refrain from business, and each asso-
33 ciate judge, while in the court room or in chambers and not actually engaged in
34 the performance of other official duties, must act upon any application for his
35 official action properly made to him. The chief justice may appoint such number
36 of assistants not exceeding four, as he may deem necessary, whose salaries shall
37 be fixed by the majority of the judges, provided, that the salaries of two of said

38 assistants shall not exceed *six thousand dollars (\$6,000)* each per annum, and
39 that the salaries of the remaining two of said assistants shall not exceed *twenty-*
40 *five hundred dollars (\$2,500)* each per annum. Said assistants shall have power
41 to administer oaths and shall perform such duties as may be required of them
42 by the chief justice, but shall not exercise any judicial powers. It shall be the
43 duty of the chief justice and the associate judges to meet together at least once
44 in each month, excepting the month of August, in each year, at such hour and
45 place as may be designated by the chief justice, and at such other times as may
46 be required by the chief justice, for the consideration of such matters pertaining
47 to the administration of justice in said court as may be brought before them.
48 At such meetings they shall receive and investigate, or cause to be investigated,
49 all complaints presented to them pertaining to the said court, and to the officers
50 thereof, and shall take such steps as they may deem necessary or proper with re-
51 spect thereto, and they shall have power and it shall be their duty to adopt or
52 cause to be adopted all such rules and regulations for the proper administration
53 of justice in said court as to them may seem expedient. The salaries of the chief
54 justice and associate judges shall be fixed by the city council: *Provided, how-*
55 *ever,* that the salary of the chief justice shall not be less than seven thousand
56 five hundred dollars (\$7,500.00) per annum and that the salary of an associate
57 judge shall not be less than six thousand dollars (\$6,000.00) per annum, and
58 that the salary of no judge shall exceed the salary and compensation fixed, from
59 time to time, by law for a judge of the Circuit Court of Cook county, and that
60 the salary of no judge shall be increased or diminished during the term for
61 which he shall have been elected: And, *provided, further,* that until the fixing of
62 salaries by the city council the salary of the chief justice shall be seven thousand
63 five hundred dollars (\$7,500.00) per annum and the salary of an associate judge
64 shall be six thousand dollars (\$6,000.00) per annum. Such salaries shall be pay-
65 able in monthly installments out of the city treasury.

Sec. 15. That said clerk shall appoint such number of deputies as may be
2 determined from time to time by a majority of the judges of the Municipal

3 Court by orders signed by them and spread upon the records of said court. The
4 salaries of deputy clerks shall be fixed, from time to time, by orders signed by
5 a majority of the judges of the Municipal Court and spread upon the records
6 of the court and shall be payable out of the city treasury in monthly install-
7 ments, *provided, however*, the salary of the chief deputy clerk shall *not exceed*
8 *six thousand dollars (\$6,000)* per annum and that the salaries of no more than
9 *ten* additional deputy clerks other than those who may be employed as shorthand
10 reporters shall exceed two thousand two hundred dollars (\$2,200.00) per annum.
11 Such number of deputy clerks so appointed as the judges may deem necessary
12 shall be competent short-hand reporters, capable of correctly taking down
13 stenographically and transcribing proceedings of court, and shall perform such
14 duties with respect to attending upon and taking down stenographic report of
15 the proceedings of said court as may be required by the judges, and for making
16 and furnishing transcripts of their stenographic report aforesaid said deputy
17 clerks shall be allowed to make such reasonable charge, not exceeding fifteen
18 cents per hundred words, to the parties to whom such transcripts are furnished,
19 as may be determined by the judges, and the judges may allow said deputy
20 clerks to retain, as additional compensation for their services, such proportion
21 as the judges may deem reasonable of the charges so collected, the balance of
22 such charges to be accounted for by such deputy clerk in the same manner as
23 costs collected by them. Such deputy clerks shall take the same oath or affirma-
24 tion required of the clerk of the Municipal Court and shall give bond to be ap-
25 proved by the Chief Justice of said court, conditioned as near as may be, like
26 the bond required of the clerk. Any deputy clerk shall be subject to removal
27 at any time by an order signed by a majority of the judges of the Municipal
28 Court, and spread upon the records of said court. Any deputy clerk may like
29 wise be removed by the clerk, *provided, however*, that any deputy clerk so re-
30 moved may be restored to his position as such deputy clerk by an order signed
31 by a majority of the judges of the Municipal Court and spread upon the records
32 of the court. The number of deputy clerks may be reduced at any time by an

33 order signed by a majority of the judges of said Municipal Court and spread
34 upon the records of said court.

Sec. 17. That said bailiff shall appoint such number of deputies as may be

2 determined, from time to time, by a majority of the judges of the Municipal
3 Court by orders signed by them and spread upon the records of said court. The
4 salaries of deputy bailiffs shall be fixed, from time to time, by orders signed by
5 a majority of the judges of the Municipal Court and spread upon the records of
6 the court, and shall be payable out of the city treasury in monthly installments,
7 *provided, however, that the salary of the chief deputy bailiff shall not exceed six*
8 *thousand dollars (\$6,000.00) per annum and that the salary of the assistant*
9 *chief deputy bailiff shall not exceed four thousand dollars (\$4,000.00) per annum,*
10 *and that the salary of eleven deputy bailiffs shall not exceed twenty-five hun-*
11 *dred dollars (\$2,500.00) per annum,* and that the salary of no other deputy bail-
12 iff shall exceed two thousand dollars (2,000.00) per annum. Such deputy bail-
13 iffs shall take the same oath or affirmation required of the bailiff of said Mun-
14 icipal Court and shall give bond to be approved by the Chief Justice of said
15 court, conditioned, as near as may be, like the bond required of the bailiff. The
16 bailiffs and deputy bailiffs of the Municipal Court shall be *ex-officio* police officers
17 of the city of Chicago. Any deputy bailiff shall be subject to removal at any time
18 by an order signed by a majority of the judges of the Municipal Court and spread
19 upon the records of said court. Any deputy bailiff may likewise be removed by the
20 bailiff, *provided, however, that any deputy bailiff so removed may be restored*
21 *to his position by an order signed by a majority of the judges of said Municipal*
22 *Court and spread upon the records of said court.* The number of deputy bail-
23 iffs may be reduced at any time by an order signed by a majority of the judges
24 of said Municipal Court, and spread upon the records of said court. Every po-
25 lice officer of the City of Chicago shall be *ex-officio* a deputy bailiff of the Muni-
26 cipal Court, and shall perform, from time to time, such duties in respect to
27 cases within the jurisdiction of said court as may be required of him by court
28 or any judge thereof. The bailiff may appoint a special deputy to serve any

29 summons issued out of the Municipal Court, by indorsement thereon substan-
30 tially as follows: I here appoint.....my special deputy
31 to serve the within writ," which shall be dated and signed by the bailiff. Such
32 special deputy shall make return of the time and manner of service of such writ,
33 under his oath, and for making a false return he shall be guilty of perjury and
34 be punished accordingly.



- 1 Introduced by Mr. Steele, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to amend Section 2 of "An Act to protect the owner of any licensed stallion or jack kept for public service and to subject the mare or jennet or progeny of such animal, or both, to a lien for service fee of such stallion or jack," approved June 21, 1917, in force July 1, 1917, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act to protect the owner of any licensed stallion or jack kept for public service and to subject the mare or jennet or progeny of such animal, or both, to a lien for the service fee of such stallion or jack," approved June 21, 1917, in force July 1, 1917, as amended, is amended to read as follows:

Sec. 2. Any owner of a licensed stallion or jack desiring to secure the benefits of this Act, shall within *eighteen (18)* months after any mare or jennet has been served by his stallion or jack, file with the recorder of deeds in the county in which such mare or jennet is, a claim for lein in writing and under oath, set-

5 ting forth therein his intention to claim a lien upon such mare or jennet or pro-
6 geny thereof, or both, for the service fee of his stallion or jack.

7 Such claim for lien shall state the name and residence of the person claim-
8 ing a lien, the name of the owner or reputed owner of the mare or jennet or pro-
9 geny thereof, or both, sought to be charged with the lien, and a description of
10 such animal or animals sufficient for identification upon which the lien is
11 claimed, and the amount due the claimant for the service fee of his stallion or
12 jack.

13 The claim for lien filed with the recorder of deeds shall expire and become
14 void and of no effect if suit is not brought to foreclose the same within *thirty*
15 months after the date of such service by such stallion or jack.



- 1 Introduced by Mr. Walters, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to validate tax levies in school districts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Wherever, prior to the passage of this
3 Act, a board of directors, or a board of education of a school district has re-
4 turned a certificate of tax levy to the township treasurer, on or before the first
5 Tuesday in August of any year, and the township treasurer has returned the
6 certificate to the county clerk, after the second Monday of August, and wherever,
7 prior to the passage of this Act, any board of school directors or board of
8 education has returned a certificate of tax levy to the township treasurer, after
9 the first Tuesday in August of any year, and the township treasurer has re-
10 turned the certificate to the county clerk before, on or after the second Monday
11 of August, any such certificate of tax levy shall be considered as valid and as of
12 the same effect as if the certificate had been returned to the township treasurer
13 on or before the first Tuesday of August, and had been returned by the town-
14 ship treasurer to the county clerk on or before the second Monday of August.

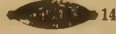


1 Adopted May 4, 1921.

AMENDMENT NO. 1

Amend House Bill No. 629 by adding Section 2 as follows:

Sec. 2. WHEREAS, An emergency exists this act shall be in effect and force from
2 and after its passage and approval.



- 1 Introduced by Mr. Walters, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend Section 25 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 25 of "An Act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 25. Such schedule, when completed by the assessor in extending in a separate column the value of such property, shall truly and distinctly set forth:

First—The number of horses of all ages, and the value thereof.

Second—The number of cattle of all ages, and the value thereof.

Third—The number of mules and asses of all ages, and the value thereof.

Fourth—The number of sheep of all ages, and the value thereof.

Fifth—The number of hogs of all ages, and the value thereof.

Sixth—Every steam engine, including boilers, and the value thereof.

- 9 *Seventh*—Every fire or burglar-proof safe, and the value thereof.
- 10 *Eighth*—Every billiard, pigeon hole, bagatelle, or other similar tables, and
11 the value thereof.
- 12 *Ninth*—Every carriage and wagon *and every motor vehicle*, of whatsoever
13 kind, and the value thereof.
- 14 *Tenth*—Every watch and clock, and the value thereof.
- 15 *Eleventh*—Every sewing or knitting machine, and the value thereof.
- 16 *Twelfth*—Every piano forte, and the value thereof.
- 17 *Thirteenth*—Every melodeon and organ, and the value thereof.
- 18 *Fourteenth*—Every franchise, the description and the value thereof.
- 19 *Fifteenth*—Every annuity and royalty, the description and the value thereof
- 20 *Sixteenth*—Every patent right, the description and the value thereof.
- 21 *Seventeenth*—Every steamboat, sailing vessel, wharf-boat barge or other
22 water craft, and the value thereof.
- 23 *Eighteenth*—The value of merchandise on hand.
- 24 *Nineteenth*—The value of material and manufactured articles on hand.
- 25 *Twentieth*—The value of manufacturers' tools, implements and machinery
26 (other than boilers and engines, shall be listed as such).
- 27 *Twenty-first*—The value of agricultural tools, implements and machinery.
- 28 *Twenty-second*—The value of gold or silver plate and plated ware.
- 29 *Twenty-third*—The value of diamonds and jewelry.
- 30 *Twenty-fourth*—The amount of moneys of bank, banker, broker or stock-
31 jobber.
- 32 *Twenty-fifth*—The amount of credits of bank, banker, broker or stock-
33 jobber.
- 34 *Twenty-sixth*—The amount of moneys other than of bank, banker, broker
35 or stock-jobber.
- 36 *Twenty-seventh*—The amount of credits other than of bank, banker, broker
37 or stock-jobber.
- 38 *Twenty-eighth*—The amount and value of bonds or stocks.

39 *Twenty-ninth*—The amount and value of shares of capital stock of com-
40 panies and associations not incorporated by the laws of this State.

41 *Thirtieth*—The value of property such person is required to list as a pawn-
42 broker.

43 *Thirty-first*—The value of property of companies and corporations other
44 than property hereinbefore enumerated.

45 *Thirty-second*—The value of bridge property.

46 *Thirty-third*—The value of property of saloons and eating houses.

47 *Thirty-fourth*—The value of household or office furniture and property.

48 *Thirty-fifth*—The value of investments in real estate and improvements
49 thereon required to be listed under this Act.

50 *Thirty-sixth*—The value of all other property required to be listed.



- 1 Introduced by Mr. Watson, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 89a and 90 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, and to add Section 89b thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 89a and 90 of "An Act to
3 establish and maintain a system of free schools," approved and in force June
4 12, 1909, as amended, are amended and Section 89b is added thereto, the
5 amended and added sections to read as follows:

Sec. 89a. *Any compact and contiguous territory no part of which is in-*
2 *cluded within a township or district maintaining a recognized four year high*
3 *school, which has an area of not less than one nor more than four square miles,*
4 *and which does not extend more than three miles in any one direction and*
5 *which has an assessed valuation of taxable property of not less than five hun-*
6 *dred thousand dollars according to the last preceding assessment for State or*
7 *county purposes and which has not less than twenty prospective high school*

8 pupils residing within its limits, may be organized into a community high
9 school district, in the following manner:

10 A petition defining the boundaries of the proposed community high school
11 district, signed by not less than one hundred voters residing in the territory
12 described in the petition, praying that the territory described be organized
13 into a community high school district, shall be filed with the county superinten-
14 dent of schools of the county in which the territory or the greater portion
15 thereof is situated. The county superintendent of schools shall then file the
16 petition in the circuit court of his county.

17 Upon the filing of the petition in the circuit court, it shall be the duty of
18 the judge of the court to fix a time, either in term time or in vacation for a
19 hearing on the petition. Notice of the hearing shall be given by publishing a
20 notice in some newspaper having a general circulation which is published in the
21 county, containing a description of the proposed district and stating the time
22 and place at which the hearing is to be held. This notice shall be published at
23 least once in each week for three successive weeks before the date of the hear-
24 ing. At this hearing all parties interested may be heard for or against the
25 organization of the proposed district.

26 The court shall have the power to determine whether or not the proposed
27 district meets the requirements before specified in this section for a community
28 high school district and if it does not or if the court decides that a more satis-
29 factory and efficient district may be formed which will meet the requirements
30 before specified, the court may exclude territory within the description in the
31 petition and add territory not included within the description in the petition.
32 If the court finds that it is impossible to form a community high school district
33 which will meet the requirements specified, he shall dismiss the petition, but
34 if he decides that such a district may be organized, he shall fix the boundaries
35 of the district and order the county superintendent of schools to call an election
36 to vote on the proposition of establishing a community high school district. The
37 county superintendent of schools shall cause such election to be held by posting

38 notices for at least ten days in ten of the most public places throughout the
39 territory. The notices shall be substantially in the following form:

40 NOTIC OF ELECTION.

41 Notice is hereby given that on..... the.....day of.....,
42 19...., an election will be held at.....for the purpose of voting for or
43 against the proposition to establish a community high school for the benefit of
44 the inhabitants of the following described contiguous and compact territory,
45 to-wit:The polls will be opened at:..... o'clock
46m., and closed at.....o'clock....m., of the same day.

47 A..... B.....
48 County Superintendent.

49 Dated this....., 19....

50 The county superintendent of schools shall establish one or more polling
51 places within the territory described in the petition and appoint two judges
52 and a clerk for each polling place. The ballots shall be in substantially the
53 following form, to-wit:

OFFICIAL BALLOT.

For the establishment of a community high school.	
Against the establishment of a community high school.	

54 The voter shall make a cross-mark in the square following and opposite
55 the proposition favored and the ballot shall be so counted. The returns shall
56 be made to the county superintendent of schools within five days. *If a majority*
57 *of the votes cast at the election are against the establishment of community*
58 *high school district, a like proposition shall not be subttited in any of the terri-*
59 *tory within a year.*

Sec. 89b. If a majority of the votes cast at the election shall be in favor
2 of establishing a community high school, the county superintendent of schools
3 shall forthwith order an election to be held within thirty days, for the purpose

4 of selecting a community high school board of education to consist of five mem-
 5 bers, by posting notices for at least ten days in ten of the most public places
 6 throughout the district, which notices shall be substantially as follows:

7 NOTICE OF ELECTION.

8 Notice is hereby given that on..... the day of
 9, 19...., an election will be held at for the purpose
 10 of electing a community high school board of education, to consist of five mem-
 11 bers. The polls will be opened at..... o'clockm., and closed at.....
 12 o'clock,m., of the same day.

13 A..... B.....
 14 County Superintendent.

15 Dated this....., 19....

16 The county superintendent of schools shall establish one or more polling
 17 places within the district and appoint two judges and a clerk for each polling
 18 place. The returns shall be made to the county superintendent of schools
 19 within five days.

20 Within ten days after thier election the members of the community high
 21 school board of education shall meet and organize by electing one of their num-
 22 ber president and by electing a secretary; also, determine by lot the time each
 23 member is to serve. Two of the members shall serve for one year, two for two
 24 years and one for three years, from the second Saturday in April next preced-
 25 ing their election. At the expiration of the term of office of any member or
 26 members, a successor or successors shall be elected, each of whom shall serve
 27 for three years. All subsequent elections shall be held on the second Saturday
 28 in April, annually. The manner of holding elections shall be governed by Sec-
 29 tion 86 of this Act. In case of a vacancy the remaining members shall appoint
 30 a successor for the unexpired term. It shall be the duty of the community high
 31 school board of education to establish at some central point most convenient
 32 to a majority of the pupils of the district a community high school with a pro-
 33 gram of studies extending through four school years.

Sec. 90. Within ten days after a community high school district has been
2 estamlished under the provisions of this Act, the county superintendent of
3 schools *of the county in which the greater portion of the district lies* shall make
4 and file with the county clerk a map of the high school district.

5 Within thirty days *after* the election of the board of education of a com-
6 munity high school district *in accordance with the provisions of Section 89b*
7 *of this Act*, the county superintendent of schools shall file in the office of the
8 county lerk a transcript certified to by him showing all the steps taken and pro-
9 ceedings had in the organization of the community high school district.

10 If any *community* high school district fails for one year to maintain a recog-
11 nized *four year* high school, it shall be the duty of the *county superintendent of*
12 *schools* of the county in which the larger portion of the district lies to dissolve
13 the high school district. All funds and property of such district shall be dis-
14 tributed by the county superintendent of schools as provided in Section 92 of
15 this Act.

AMENDMENTS TO

52d G. A.

HOUSE BILL NO. 631

1921



1 Adopted June 7, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 631 by striking out of the printed bill in line 3, of
2 Section 89a, the words "than one nor more".

AMENDMENT NO. 2.

Amend House Bill No. 631 by striking out of the printed bill on page 1,
2 line 3 of Section 89a, the word "four" and insert in lieu thereof the words
3 "sixty-four".

AMENDMENT NO. 3.

Amend House Bill No. 631 by striking out of the printed bill on page 1,
2 in lines 5 and 6 of Section 89a, the words "five hundred thousand" and insert
3 in lieu thereof the words "one million".

AMENDMENT NO. 4.

Amend House Bill No. 631 by striking out of the printed bill on page 1,
2 in line 7 of Section 89a, the word "twenty" and insert in lieu thereof the
3 word "fifty".



1 Adopted June 10, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 631, as printed, by striking out all of lines 1 to 9, inclusive of the second paragraph of Section 1 of said bill, and inserting in lieu thereof the following:

89a. Any contiguous and compact territory, no part of which is included within a township or Community High School District, which has an area of not more than sixty-four square miles, and which does not extend more than four miles in any cardinal direction from the center of the proposed territory, and which has an assessed valuation of taxable property of not less than five hundred thousand dollars according to the last preceding assessment for State or County purposes, and which has not less than 30 prospective high school pupils residing within its limits, may be organized into a Community High School District, in the following manner:

AMENDMENT NO. 2.

Amend House Bill No. 631, as printed by striking out the figures 90 in line 1 of page 5 of the bill and inserting in lieu thereof the figures and letter as follows: 89c.

AMENDMENT NO. 3.

Amend House Bill No. 631, as printed, on page 5, line 4, after the word "clerk" by inserting the following: "*of each county*".



- 1 Introduced by Mr. Williston, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to amend Section 6 of an Act entitled, "An Act to create the Court of Claims and to prescribe its powers and duties," approved June 25, 1917, in force July 1, 1917.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 6 of "An Act to create the Court of Claims and to prescribe its power and duties," approved June 25, 1917, in force July 1, 1917, is amended to read as follows:

Sec. 6. The Court of Claims shall have power:

- 2 (1) To make rules and orders, not inconsistent with law, for carrying out
- 3 the duties imposed upon it by law;
- 4 (2) To make rules governing the practice and procedure before the court,
- 5 which shall be as simple, expeditious and inexpensive as reasonably may be;
- 6 (3) To compel the attendance of witnesses before it, or before any notary
- 7 public or any commissioner appointed by it, and the production of any books,

8 records, papers or documents that may be material or relevant as evidence in
9 any matter pending before it;

10 (4) To hear and determine all claims and demands, legal and equitable,
11 liquidated and unliquidated, ex contractu and ex delicto, which the State, as a
12 sovereign commonwealth, should, in equity and good conscience discharge and
13 pay;

14 (5) To hear and give its opinion on any controverted questions of claims
15 or demand referred to it by any officer, department, institution, board, arm or
16 agency of the State Government and to report its findings and conclusions to
17 the authority by which it was transmitted for its guidance and action.



- 1 Introduced by Mr. Williston, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

A bill for an Act to amend Section 15 of an Act entitled, "An Act to promote the general welfare of the People of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State, providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act to promote the general welfare of the People of this State by providing compensation for accidental injuries or death suffered in the course of employment,' approved June 10, 1911, in force May 1, 1912," as subsequently amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly.* That Section 15 of an Act entitled, "An
3 Act to promote the general welfare of the People of this State by providing
4 compensation for accidental injuries or death suffered in the course of em-
5 ployment within this State; providing for the enforcement and administering
6 thereof, and a penalty for its violation, and repealing an Act entitled, 'An Act
7 to promote the general welfare of the People of this State by providing com-
8 pensation for accidental injuries or death suffered in the course of employ-

9 ment,' approved June 10, 1911, in force May 1, 1912'' as subsequently amended,
10 be amended so as to read as follows:

Sec. 15. The Industrial Board shall have jurisdiction over the operation
2 and administration of this Act, and said board shall perform all the duties
3 imposed upon it by this Act, and such further duties as may hereafter be im-
4 posed by law and the rules of the board not inconsistent therewith.

5 The Industrial Commission shall have jurisdiction and shall hear and de-
6 termine the liability of the State or any of its political sub-divisions for acci-
7 dental injuries or death suffered in the course of employment by any employe
8. of the State or any of its political sub-divisions.

9 The Industrial Commission shall also make such rules and regulations as
10 may be necessary to expedite the payment of claims under this Act to said
11 employes.



- 1 Introduced by Harry Wilson, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 207 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 207 of "An Act to establish
3 and maintain a system of free schools," approved and in force June 12, 1909, as
4 amended, is amended to read as follows:

Sec. 207. It shall be the duty of the county board of each county of the
2 State:

3 First: To provide for the county superintendent of schools a suitable office
4 with necessary furniture and office supplies, as is done in the case of other
5 county officers.

6 Second: To examine and approve or reject the report of the county super-
7 intendent of schools made to such board.

8 Third: To allow the *necessary* traveling expense in the performance of the
9 duties of the office of county superintendent of schools.

10 Fourth: To audit at the regular meeting in September, and as near quar-
11 terly thereafter as such board may have regular or special meetings, the item-
12 ized bills of the county superintendent of schools for his office and traveling ex-
13 pense.

14 Fifth: To authorize the county superintendent of schools to employ such
15 assistance as he needs in the full discharge of his duties, and to fix the compen-
16 sation thereof, which compensation shall be paid out of the county treasury.

17 Sixth: To examine the financial statements of the county superintendent
18 of schools required by section 11 of this Act and compare the same with vouchers,
19 and the county board, or so many of them as may be present at the meeting of
20 of the board, shall be liable individually to the fund injured and to the securities,
21 for all damages occasioned by neglect of the duties, or any of them required of
22 the board by this section: *Provided, however,* that nothing herein contained
23 shall be construed to exempt the securities, but they shall remain liable to the
24 fund injured the same as if the members of the county board were not liable to
25 them for the neglect of their duty.



- 1 Introduced by Mr. Harry Wilson, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend Sections 274 and 275 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Sections 274 and 275 of "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended, are amended to read as follows:*

Sec. 274. *Every person having control of any child between the ages of seven and sixteen years shall annually cause such child to attend some public or private school for the entire time during which the school attended is in session, which shall not be less than seven months of actual teaching: Provided, however, that this Act shall not apply in case the child has been or is being instructed for a like period in each and every year in the elementary branches of education by a person or persons competent to give such instruction, or in case the child's physical or mental condition as certified to by a practicing physician renders his or her attendance impracticable or inexpedient, or in case*

10 the child is excused for temporary absence due to illness by the principal or
 11 teacher of the school which said child attends, or in case the child is between
 12 the ages of fourteen and sixteen years and is, in the judgment of the Board of
 13 School Directors or Board of Education, necessarily and lawfully employed
 14 during the hours when the public school is in session under the provisions of
 15 the child labor laws now in force. For every neglect of duty prescribed by this
 16 Section the person so offending shall forfeit to the use of the public schools of
 17 the city, town or district in which such child resides a sum not less than five
 18 dollars (\$5.00) nor more than twenty dollars (\$20.00) and costs of suit and
 19 shall stand committed until such fine and costs of suit are paid. Any person
 20 having control of a child who with intent to evade the provisions of this Sec-
 21 tion shall make a false statement concerning the age of the employment of such
 22 child or the time such child has attended school shall for such offense forfeit a
 23 sum of not less than three dollars (\$3.00) nor more than twenty dollars (\$20.00),
 24 for the use of the public schools of the district.

Sec. 275 (a) The county superintendent of schools of each county shall
 2 appoint a legally qualified teacher to serve as attendance officer for his county
 3 whose duty it shall be to see that the provisions of Section 274 of this Act
 4 shall be fully complied with. In addition to this work he shall perform such
 5 other duties as the county superintendent of his county may direct.

6 Such attendance officer shall receive as compensation an amount equal to
 7 three-fifths ($3/5$) of the salary of the county superintendent of his county to
 8 be paid quarterly out of the State School fund, together with the necessary
 9 traveling expenses to be paid out of the county treasury of his county.

10 Any school district may appoint one or more attendance officers and fix
 11 compensation of same, said compensation to be paid by the district.

12 It is hereby made the duty of every teacher, parent, and member of school
 13 board to co-operate with such attendance officers in every way possible as
 14 directed by the county superintendent in enforcing the provisions of this Act.

15 (b) *In case any person shall fail to send any child or children under his*
16 *control to some lawful school the attendance officer, upon having proper notice*
17 *thereof, shall, as soon as practicable thereafter, give notice in person or by mail*
18 *to the person having control of such child or children, that such child or chil-*
19 *dren under his control shall be present at the proper public school on the day*
20 *following the receipt of such notice. Said notice shall inform the person having*
21 *control of such child or children of the date that attendance must begin and that*
22 *such attendance at school must be continuous and consecutive during the re-*
23 *maining school year as taught in the district. The attendance officer shall at*
24 *the same time that the said notice is given to the person having control of said*
25 *child or children notify the teacher or superintendent of the fact of notice and*
26 *it shall be the duty of the teacher or superintendent to notify the attendance*
27 *officer of the failure on the part of such person having the child or children in*
28 *control to comply with said notice.*

29 (c) *It shall be the duty of all attendance officers after having given*
30 *notice, as herein provided, to any person having control over any child or chil-*
31 *dren not attending school, as provided in this Act, to determine whenever such*
32 *notice has been complied with, and in case of failure of compliance therewith,*
33 *he shall, as soon as possible thereafter, make complaint against such person*
34 *before any justice of the peace in the county where such person resides, for*
35 *failure to comply with the provisions of this Act; and in every such case it*
36 *shall be the duty of such justice of the peace to issue a warrant upon said com-*
37 *plaint and to proceed to hear and determine the same in the manner as provided*
38 *by statute for other cases under his jurisdiction, and in case of conviction of*
39 *such person for violation of this Act, such person shall be punished accordin-*
40 *g to the provisions of this Act.*



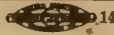
1 Adopted April 27, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 635 by inserting after the word "county" in line 9,

2 Section 275a, page 2, the following:

3 *“Provided, that in no case shall the salary of such attendance officer exceed*
4 *the sum of \$2,500.00 per year.”*



- 1 Introduced by Mr. Young, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend an Act entitled "An Act to provide for the formation and disbursement of a pension fund in counties having a population of 150,000 or more inhabitants, for the benefit of officers and employees in the service of such counties," by amending Sections 1 and 4 thereof, and by adding a new section thereto, to be known as Section 12.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act to provide for the formation and disbursement of a pension fund in Counties having a population of 150,000 or more inhabitants, for the benefit of officers and employees in the service of such counties, approved June 29, 1915, in force July 1, 1915, be, and the same is hereby, amended by amending Sections 1 and 4 thereof, and by adding a new section thereto, to be known as Section 12, to read as follows:*

Sec. 1. *That in counties having a population exceeding 150,000 inhabitants, there shall be created, established and maintained a pension fund for officers and employees who are employed in such counties in accordance with the provisions hereof: Provided, however, that the provisions of this Act shall not apply to*

5 temporary or probationary employees, nor to any employee who is sixty or more
 6 years of age at the time this Act takes effect and who at said time has not been
 7 in service of such county for at least ten years; nor to laborers unless any such
 8 laborers shall, within six months after this Act shall be in force and effect, or in
 9 the event that any such laborer is now in the employ of such county, within six
 10 months after such laborer shall enter the service of such county, give written
 11 notice of his election to the board of trustees of said fund of his desire to partici-
 12 pate in the benefits hereunder.

13 Said fund shall consist of amounts of two dollars a month retained or de-
 14 ducted by the comptroller of such county from the salaries or wages of each em-
 15 ployee and such other sums as are hereinafter referred to: Provided, however,
 16 that if the name of any such employee shall not appear upon the pay-roll of the de-
 17 partment in which he or she is employed by reason of leave of absence, sickness,
 18 lack of work, or any other good and sufficient cause, making a deduction impos-
 19 sible, such employee may retain his or her rights under this Act by paying two
 20 dollars each month to the treasurer of such county for the benefit of said fund,
 21 during his or her temporary absence from the service.

22 There shall be set apart during the year 1922 by such counties a sum equal
 23 to the amount deducted from the salaries or wages of the aforesaid employees
 24 and the amounts paid to the treasurer of such county by the aforesaid employees
 25 for the benefit of the fund hereby created, as prescribed in this section, during
 26 the preceding fiscal year; and hereafter, beginning with the year 1923, such coun-
 27 ties shall set apart annually a sum to twice the amount deducted from the sal-
 28 aries or wages of the aforesaid employees and twice the amount paid to the treas-
 29 urer of such county by the aforesaid employees for the benefit of said fund, as
 30 prescribed in this section, during the preceding fiscal year. Such sums so set
 31 apart by such counties shall be paid by the official or officials of such counties to
 32 the treasurer of the pension fund hereby created on or before the third Tuesday
 33 in August of each year.

34 *Any such county may levy a tax for the purpose of providing revenue for*
35 *the pension fund hereby created, and for that purpose it shall be lawful for any*
36 *such county to levy a tax on all taxable property of such county in such amount*
37 *as will produce the sum of money equal to twice that deducted from the salaries*
38 *or wages of the aforesaid employees and twice that paid to the treasurer of*
39 *such county by the aforesaid employees for the benefit of the pension fund created*
40 *by this Act, as prescribed in this section, during the preceding fiscal year. Said*
41 *tax (which shall in no event exceed one-tenth of a mill on the dollar) shall be*
42 *levied and collected in like manner with the general taxes of said county, which*
43 *said tax shall be in addition to taxes levied for other county purposes and shall*
44 *not be subject to reduction under the provisions of an Act entitled "An Act con-*
45 *cerning the levy and extension of taxes" approved May 9, 1901, in force July 1,*
46 *1901, as amended, nor counted as a part of the taxes making up the rate not sub-*
47 *ject to reduction under that Act. All moneys derived from the tax so levied*
48 *shall be set apart by the official or officials of such county to whom shall be paid*
49 *as a fund for pensioning the employees hereinbefore described of such counties*
50 *and shall be paid to the treasurer of the pension fund created by this Act as soon*
51 *as said moneys are received by said official or officials. Should there be insuffi-*
52 *cient funds to meet the requirements of this Act during any year, such county*
53 *may issue and dispose of tax anticipation warrants, as provided by law, against*
54 *the tax levy for the current fiscal year.*

Sec. 4. Said board shall have the power, and it shall be its duty:

2 To authorize all payments from said pension fund pursuant to the provis-
3 ions of this Act, which shall include all pensions to beneficiaries of said fund, at
4 a rate of fifty dollars per month, and all necessary expenses incurred in the ad-
5 ministration of said fund: *Provided*, that no compensation or emolument shall
6 be paid or allowed to any member of said board for any duty required or per-
7 formed under this Act, and provided further that the chief legal adviser of the
8 president and board of county commissioners of said county shall be the legal ad-
9 viser of said board of trustees.

10 To hear and determine all applications for pensions under this Act, and to
 11 suspend the payment of pensions when disability ceases.

12 To audit the accounts pertaining to said fund at least four times in each
 13 year.

14 To accept, by gift, grant, bequest, or otherwise, any money or property of
 15 any kind and use the same for the benefit of said fund.

16 To invest such fund, or any part thereof, in the name of said board, in in-
 17 terest bearing bonds of the United States, of the State of Illinois, or of any
 18 county of this State, or of any township or any municipal corporation of the
 19 State of Illinois, or any other State, and all such securities shall be deposited
 20 with the treasurer of said board, and shall be subject to the order of said board.
 21 Said treasurer shall furnish a good and sufficient bond to said board in an amount
 22 to be fixed by said board, conditioned upon the faithful performance of the duties
 23 of said office, and that said treasurer will truly account for all moneys, including
 24 the interest thereon, and property of said fund which may come into his hands,
 25 and that upon the expiration of his term of office, or upon his retirement there-
 26 from, he will deliver over to his successor all the moneys, including interest there-
 27 on, and the property which may be in his custody and belonging to said fund;
 28 all costs and incidentals to the same to be paid out of said pension fund.

29 *To authorize the payment to any employee who may be separated from the*
 30 *service of such county by the abolishment of his or her position before such em-*
 31 *ployee shall have qualified for a pension of an amount equal to the amount de-*
 32 *ducted from the salary or wages of such employee and applied to the fund hereby*
 33 *created, to any employee who may be separated from the service of such county*
 34 *by resignation or discharge before such employee shall have qualified for a pen-*
 35 *sion, and to the heirs and legal representatives of any employee who shall die*
 36 *while in the service of such county of an amount equal to one-half of the amount*
 37 *deducted from the salary or wages of such employees and applied to the fund*
 38 *hereby created: Provided, that all such employees and the heirs and legal rep-*
 39 *resentatives of any deceased employee shall release said board from all future*

40 *liability upon receipt of such amount. To compel witnesses to attend and*
41 *testify before it upon all matters connected with the operation of this Act in the*
42 *same manner as is or may be provided by law for the taking of testimony before*
43 *Masters in Chancery, and its persident or any member of said board may admin-*
44 *ister oaths to such witnesses.*

45 *To appoint a clerk and define his duties.*

46 *To make all necessary rules and regulations for its guidance in conformity*
47 *with the provisions of this Act.*

Sec. 12. *Upon the death of any contributor who is not, nor has been, a bene-*
2 *ficiary under this Act for more than three years, the said board of trustees shall*
3 *pay an amount not exceeding two hundred dollars to the widow, if any, of*
4 *such deceased contributor, and if there be no widow, said board of trustees may*
5 *expend said amount for the benefit of the minor children, if any, of such deceased*
6 *contributor. If there be no one to look after the body of such deceased contrib-*
7 *utor, in the event of the death of said contributor said board of trustees may*
8 *expend said amount of two hundred dollars for his or her burial expenses as*
9 *they may determine.*

1 Adopted June 8, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 636 by adding the following immediately after

2 Section 1.

3 *“Any county employee to whom the provisions of this Act apply may*
4 *become a candidate for member of the board of trustees by filing a petition*
5 *signed by at least ten other employees of the County to whom the provisions*
6 *of this Act apply with the secretary of the board of trustees four days pre-*
7 *vious to the election. The annual election of a member of the board of trustees*
8 *shall be held on the first Monday in October. Notices of the election shall be*
9 *posted by the board of trustees in the Court House and the other county*
10 *buildings in which employees work for at least seven days previous to the date*
11 *on which the election is to be held. Judges and clerks of the election shall be*
12 *appointed by the board of trustees, but the members of the board may not serve*
13 *as judges and clerks. Returns of the election shall be made to the board of*
14 *trustees and the result of the election posted in the court house and other*
15 *county buildings in which employes work.”*

- 1 Introduced by Mr. Young, April 12, 1921.
- 2 Read by title, ordered printed, and referred to Committee on Revenue.

A BILL

For an Act concerning Tax on Sale or Transfer of Stock of Corporation, Association or Company.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there is hereby imposed and shall
3 immediately accrue and be collected a tax, as herein provided, on all sales, or
4 agreements to sell, or memoranda of sales of stock, and upon any and all de-
5 liveries or transfers of shares or certificates of stock, in any domestic or foreign
6 association, company or corporation, made after the first day of January, nine-
7 teen hundred and twenty-two, whether made upon or shown by the books of the
8 association, company or corporation, or by any assignment in blank, or by any
9 delivery, or by any paper or agreement or memorandum or other evidence of
10 sale or transfer, whether intermediate or final, and whether investing the
11 holder, with the beneficial interest in or legal title to said stock, or merely
12 with the possession or use thereof for any purpose, or to secure the future pay-
13 ment of money, or the future transfer of any stock, on each hundred dollars of

14 face value or fraction thereof, two cents, except in cases where the shares or
15 certificates of stock are those having no par value, in which cases the tax shall
16 be at the rate of two cents for each and every share of such stock. It shall be
17 the duty of the person or persons making or effectuating the sale or transfer to
18 procure, affix and cancel the stamps and pay the tax provided by this Act. It is
19 not intended by this Act to impose a tax upon an agreement evidencing the
20 deposit of stock certificates as collateral security for money loaned thereon, which
21 stock certificates are not actually sold nor upon such stock certificates so de-
22 posited, nor upon mere loans of stock or the return thereof.

Sec. 2. The payment of such tax shall be denoted by an adhesive stamp or
2 stamps affixed as follows: In the case of a sale or transfer, where the evidence
3 of the transaction is shown only by the books of the association, company or cor-
4 poration, the stamp shall be placed upon such books, and it shall be the duty of
5 the person making or effectuating such sale or transfer to procure and furnish
6 to the association, company or corporation the requisite stamps, and of such asso-
7 ciation, company or corporation to affix and cancel the same. Where the transac-
8 tion is effected by the delivery or transfer of a certificate, the stamp shall be
9 placed upon the surrendered certificate and canceled; and in cases of an agree-
10 ment to sell, or where the sale is effected by delivery of the certificate assigned in
11 blank, there shall be made and delivered by the seller to the buyer, a bill or memo-
12 randum of such sale to which the stamp provided for by this Act shall be affixed
13 and cancelled. Every such bill or memorandum of sale or agreement to sell shall
14 show the date of the transaction which it evidences, the name of the seller, the
15 stock to which it relates, and the number of shares thereof. All such bills or
16 memoranda of sale shall bear a number upon the face thereof and no more than
17 one such bill or memorandum of sale made by the seller on any given day shall
18 bear the same number. The aforesaid identification number of the bill or
19 memorandum of sale shall in all cases be entered and recorded in the book of
20 account required under the provisions of this Act; and no further tax is hereby

21 imposed upon the delivery of the certificate of stock, or upon the actual issue of
22 a new certificate when the original certificate of stock is accompanied by the duly
23 stamped memorandum of sale as herein provided.

Sec. 3. Adhesive stamps for the purpose of paying the State tax provided
2 for by this Act shall be prepared by the Secretary of State, in such form, and of
3 such denominations and in such quantities as he may from time to time prescribe,
4 and shall be sold by him to the person or persons desiring to purchase the same;
5 he shall make provision for the sale of such stamps by such persons, in such
6 place and at such times as in his judgment he may deem necessary.

7 He may from time to time and as often as he deems advisable provide for the
8 issuance and exclusive use of stamps of a new design and forbid the use of
9 stamps of any other design. In order to effect such a change and to discontinue
10 the use of stamps of a former design he shall publish or cause to be published
11 once in each week for one month immediately preceding the time for taking effect
12 of such change, in one or more daily newspapers published in each of the cities
13 of the State, having a population, according to the last census, of more than ten
14 thousand inhabitants and for the same period in a newspaper published at the
15 county seat of each county not having a city with a population of ten thousand
16 inhabitants, a notice to the effect that after a certain day, which shall be at
17 least one month after the first publication of said notice, none other than the new
18 issue or design of stamps shall be accepted or made use of in payment of the tax
19 provided for by this Act. After such date it shall be unlawful for any person to
20 make use of any other than the new issue or design of stamps in payment of such
21 tax. Any person violating any of the provisions of this section shall be guilty
22 of a misdemeanor.

23 Any person lawfully in possession of unused stamps of an old or super-
24 seded issue or design, may, within ninety days from the time when such change
25 becomes effective as aforesaid, surrender the same to the Secretary of State
26 together with a sworn statement setting forth the name and address of the owner
27 and party surrendering said stamps, how, when and from whom the same were

28 acquired and such other pertinent information as the Secretary of State may re-
29 quire; whereupon the Secretary of State shall redeem such unused and surren-
30 dered stamps by exchanging therefor stamps of a like denomination of the new
31 issue or design.

Sec. 4. No person, firm, company, association or corporation other than a
2 corporation organized under the banking law of this State or under the National
3 Bank Act of the United States or a duly authorized agent of the Secretary of
4 State, shall sell or expose for sale, traffic in, trade, barter or exchange any stamp
5 issued pursuant to this Act, and purchased or acquired by him after the time
6 when this Act takes effect, without first obtaining from the Secretary of State his
7 written consent to sell, traffic in, trade, barter or exchange such stamps, except
8 that in connection with a sale of or agreement to sell stock to a broker or agent of
9 the principal making such sale or agreement to sell may supply and affix the
10 stamp or stamps required by this Act. No person shall sell or expose for sale
11 any stamp, so purchased or acquired for a sum less than the face value thereof
12 without the written consent of the Secretary of State. Any person lawfully in
13 possession of unused stamps may request the Secretary of State for his consent
14 to sell or dispose of the same. He shall present to the Secretary of State, if so
15 required, a sworn statement setting forth the name and address of the owner and
16 the party desiring to sell or dispose of said stamps, how, when and from whom
17 the same were acquired and the name and address of the person or persons to
18 whom it is proposed to sell or dispose of the same, and such other pertinent and
19 relevant information as the Secretary of State may require. Thereupon the
20 Secretary of State may give his written consent to sell the same. Any person
21 violating any of the provisions of this section shall be guilty of a misdemeanor
22 and upon conviction thereof shall be punishable by a fine of not less than five
23 hundred nor more than one thousand dollars, or by imprisonment for not more
24 than six months, or by both such fine and imprisonment in the discretion of the
25 court.

Sec. 5. Any person or persons liable to pay the tax by this Act imposed,

2 and any one who acts in the matter as agent or broker for such person or persons,
3 who shall make any sale, transfer or delivery of shares or certificates or stock,
4 without paying the tax by this Act imposed, and any person who shall in pursu-
5 ance of any sale, transfer or agreement, deliver any stock or evidence of the sale,
6 or transfer of or agreement to sell any stock, or bill or memorandum thereof, or
7 who shall transfer or cause the same to be transferred upon the books or records
8 of the association, company or corporation, and any association, company or cor-
9 poration whose stock is sold or transferred, which shall transfer or cause the
10 same to be transferred upon its books, without having the stamps provided for
11 in this Act affixed thereto, shall be deemed guilty of a misdemeanor, and upon
12 conviction thereof shall pay a fine of not less than five hundred nor more than
13 one thousand dollars, or be imprisoned for not more than six months or by both
14 such fine and imprisonment, in the discretion of the court.

Sec. 6. In every case where an adhesive stamp shall be used to denote the

2 payment of the tax provided by this Act, the person using or affixing the same
3 shall write or stamp thereupon the initials of his name and the date upon which
4 the same shall be attached or used, and shall cut or perforate the stamp in a
5 substantial manner so that such stamp cannot be again used; and if any person
6 makes use of an adhesive stamp to denote the payment of the tax imposed by
7 this Act, without so effectually cancelling the same, such person shall be deemed
8 guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less
9 than two hundred nor more than five hundred dollars or be imprisoned for not
10 less than six months, or both, in the discretion of the court.

Sec. 7. The Secretary of State is hereby directed to make, enter into and

2 execute for and in behalf of the State such contract or contracts for dies, plates
3 and printing necessary for the manufacture of the stamps provided for by this
4 Act, and provide such stationery and clerk hire together with such books and
5 blanks as in his discretion may be necessary for putting into operation the pro-

visions of this Act; he shall be the custodian of all stamps, dies, plates or other material or thing furnished by him and used in the manufacture of such State tax stamps.

Sec. 8. Any person who shall wilfully remove or alter or knowingly permit to be removed or altered the cancelling or defacing marks of any stamp provided for by this Act with intent to use such stamp, or who shall knowingly or wilfully buy, prepare for use, have in his possession or suffer to be used any washed, restored or counterfeit stamp, and any person who shall intentionally remove or cause to be removed or knowingly permit to be removed any stamp affixed pursuant to the requirements of this Act, shall be guilty of a misdemeanor and on conviction thereof shall be liable to a fine of not less than five hundred nor more than one thousand dollars, or be imprisoned for not more than one year, or by both such fine and imprisonment, in the discretion of the court.

Sec. 9. Every person, firm, company, association or corporation engaged in whole or in part in the making or negotiating of sales, agreements to sell, deliveries or transfers of shares or certificates of stock, or conducting or transacting a stock brokerage business, and every stock association, company or corporation which shall maintain a principal office or place of business within the State or which shall keep or cause to be kept, within the State of Illinois a place for the sale, transfer or delivery of its stock, shall within ten days after this Act shall take effect if such a certificate shall not have been theretofore filed, or if at the time this Act shall take effect, not engaged in such business or maintaining such principal office or place of business or such a place for the sale or transfer of its stock, within ten days after engaging in such business or after establishing such principal office or place of business or such place for the sale or transfer of its stock, as the case may be, file in the office of the Secretary of State a certificate setting forth the name under which such business is, or is to be, conducted or transacted, and the true or real full name or names of the person or persons conducting or transacting the same, with the postoffice address or addresses of said

17 person or persons unless the party so certifying be a corporation, in which event
18 it shall set forth its said principal office or place of business and when and where
19 incorporated. Said certificate shall be executed and duly acknowledged by the
20 person or persons so conducting or intending to conduct said business or by the
21 president or secretary of the corporation, as the case may be.

22 In the event of a change in the persons composing such firm, company or
23 association or of the address of any such person, firm, company, association or
24 corporation, or termination of such business or relationship, a like certificate set-
25 ting forth the facts with respect to such change or termination shall within ten
26 days thereafter be filed in the office of the Secretary of State.

27 Any such person, firm, company, association or corporation who shall fail to
28 comply with the provisions of this section shall be guilty of a misdemeanor, and
29 upon conviction thereof shall pay a fine of not less than one hundred dollars nor
30 more than five hundred dollars or be imprisoned for not more than six months or
31 by both such fine and imprisonment in the discretion of the court.

Sec. 10. Every person, firm, company, association, or corporation, engaged
2 in whole or in part in the making or negotiating of sales, agreements to sell, de-
3 liveries or transfers of shares or certificates of stock, or conducting or transact-
4 ing a brokerage business shall keep or cause to be kept at some accessible place
5 within the State of Illinois, a just and true book of account, in such form as may
6 be prescribed by the Secretary of State, wherein shall be plainly and legibly re-
7 corded in separate columns, the date of making every sale, agreement to sell, de-
8 livery or transfer of shares or certificates of stock, the name of the stock and
9 the number of shares thereof, the face value of the stock, the name of the seller
10 or transferrer, the name of the purchaser or transferee and the number and face
11 value of the adhesive stamps affixed and the identifying number of the bill or
12 memorandum of sale as provided by this Act.

13 Every association, company or corporation shall keep or cause to be kept at
14 some accessible place within the State of Illinois, a stock certificate book and a
15 just and true book of account, transfer ledger or register, in such form as may be

16 prescribed by the Secretary of State, wherein shall be plainly and legibly re-
17 corded in separate columns the date of making every transfer of stock, the name
18 of the stock and the number of shares thereof, the serial number of each sur-
19 rendered certificate, the name of the party surrendereing such certificate, the
20 serial number of the certificate issued in exchange therefor, the number of
21 shares covered by said certificate, the name of the party to whom said certificate
22 was issued and evidence of the payment of the tax provided for by this Act,
23 which evidence, however, shall be provided in one of the following manners, and
24 not otherwise, to-wit:

25 (a) By attaching to the stock certificate surrendered for transfer, the
26 stamps required for such transfer, or

27 (b) If the stamps are not attached to the certificate, but are attached to the
28 bill or memorandum of sale effecting or evidencing the transfer of such certifi-
29 cate, by attaching to said certificate the said bill or memorandum of sale with
30 stamps attached, or

31 (c) If the stamps covering the transfer are attached to a bill or memo-
32 randum effecting a transfer of one or more certificates or to one or more certifi-
33 cates included in said transfer, a notation must be made upon such certificates,
34 bill or memorandum, as the case may be, clearly specifying and identifying the
35 certificate or certificates of stock to the sale or transfer of which the said stamps
36 apply, or,

37 (d) If the bill or memorandum bearing such stamps is not attached to the
38 surrendered certificate or certificates to which it applies, a notation must be made
39 upon such bill or memorandum stating the serial number or numbers of the
40 certificates to which said bill or memorandum applies, as provided for in this Act.

41 It shall also retain and keep all surrendered or canceled shares or certificates of
42 its stock and all memorandum relating to the sale or transfer of any thereof.
43 All such books of account, transfer, ledgers, registers, and stock certificate
44 books, shall be retained and kept as aforesaid for a period of at least two years,
45 subsequent to the date of the last entry made therein as herein required; and

all such surrendered or cancelled shares or certificates of stock and memorandum relating to the sale or transfer of stock, shall be retained and kept for a period of at least two years from the date of the delivery thereof. For the purpose of ascertaining whether the tax imposed by this Act has been paid, all such books of account, transfer ledgers, registers, stock certificate books, surrendered or cancelled shares or certificates of stock and memoranda relating to the sale or transfer thereof, shall at all times between the hours of ten o'clock in the forenoon and three o'clock in the afternoon, except Saturdays, Sundays and legal holidays, be open to examination by the Secretary of State or his duly authorized representative.

The Secretary of State may enforce his right to examine such books of account and bills or memoranda of sale or transfer, and such transfer ledger, register and stock certificate books and surrendered or cancelled shares or certificates of stock by mandamus. If the Secretary of State ascertains that the tax provided for in this Act has not been paid, he shall bring an action, in any court of competent jurisdiction for the recovery of such tax and for any penalty incurred by any person under the provisions of this Act.

Every person, firm, company, association or corporation who shall fail to keep such book of account or bills or memoranda of sale or transfer, or transfer ledger, register or stock certificate book or surrendered or cancelled shares or certificates of stock, as herein required, or who alters, cancels, obliterates or destroys any part of said records or makes any false entry therein or who shall refuse to permit the Secretary of State or any of his authorized representatives freely to examine any of said books, records or papers at any of the times herein provided, or who shall in any other respect violate any of the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall for each and every such offense pay a fine of not less than five hundred dollars nor more than five thousand dollars, or be imprisoned not less than three months nor more than two years, or both, in the discretion of the court.

Sec. 11. Any person, firm, company, association or corporation who shall
2 violate any of the provisions, as provided for in this Act, shall in addition to
3 the penalties herein provided, forfeit to the people of the State a civil penalty
4 of ten dollars, for each and every share of stock so sold or transferred, or
5 transferred or entered upon the books of the corporation, as the case may be,
6 without the payment of the tax by this Act imposed thereon. Any person who
7 shall violate any of the other provisions of this Act shall in addition to the pen-
8 alties hereinbefore provided forfeit to the people of the State a civil penalty of
9 five hundred dollars for each and every such violation.

10 The Secretary of State shall bring an action in any court of competent
11 jurisdiction for the recovery of any civil penalty; and all moneys collected by
12 him shall be paid into the State treasury. In an action against a corporation
13 or its transfer agent to recover a penalty because of its transfer of stock upon
14 the books or records of the corporation without requiring the payment of the
15 tax by this Act imposed, the failure of the corporation or its transfer agent, on
16 the demand of the Secretary of State or his duly authorized representative to
17 produce the surrendered certificate or memoranda of sale with the required
18 stamps attached, shall constitute *prima facie* proof of the non-payment of the
19 tax imposed, as provided for in this Act.

Sec. 12. No transfer of stock made after January first nineteen hundred
2 and twenty-two, on which a tax is imposed by this Act and which tax is not paid
3 at the time of such transfer, shall be made the basis of any action or legal pro-
4 ceedings, nor shall proof thereof be offered or received in evidence in any court
5 in this State.

Sec. 13. If any stamp or stamps shall have been erroneously affixed to
2 any book, certificate of stock, or bill or memorandum of sale, the Secretary of
3 State may, upon presentation of a claim for the amount of such stamp or
4 stamps and upon the production of evidence satisfactory to him that such stamp
5 or stamps was or were so erroneously affixed so as to cause loss to the person

6 or persons making such claim, pay such amount, or such part thereof as he
7 may allow, to such claimant out of any moneys appropriated for that purpose.
8 Such claims shall be presented to the Secretary of State in writing, duly veri-
9 fied, and shall state the full name and address of the claimant, the date of such
10 erroneous affixing, the face value of the stamp or stamps and shall describe the
11 instrument to which the stamp or stamps were affixed and contain such evidence
12 as may be available upon which the demand for such refund is based. Such
13 claims shall be presented within ninety days after such erroneous affixing unless
14 such affixing shall have taken place prior to the date on which this Act shall
15 take effect, in which case such claim shall be presented within ninety days after
16 the date on which this Act shall take effect. If the Secretary of State rejects
17 a claim or any part thereof, the claimant may file a claim for the recovery of
18 such sum as the Secretary of State shall have refused to allow, with the court of
19 claims, which shall constitute a private claim against the State and shall be sub-
20 ject to all the provisions of law governing such claims, except that all claims so
21 presented shall be filed with the court of claims within ninety days from the
22 date on which such claim shall be rejected by the Secretary of State. For the
23 purpose of this section, the Secretary of State's decision shall be deemed to
24 have been made at the time of the depositing of a copy of such decision in the
25 post office inclosed in a duly post-paid wrapper and directed to the person
26 making such claim at the address contained in the verified claim presented to
27 the Secretary of State as hereinbefore provided.

Sec. 14. The Secretary of State shall possess and have all necessary
2 powers, and shall perform all the duties which may be required to properly and
3 efficiently enforce and administer the requirements and provisions of this Act,
4 and may make such rules and regulations from time to time as he deems neces-
5 sary and proper to carry out the provisions of this Act.

Sec. 15. At the discretion of the Secretary of the State the Attorney Gen-
2 eral shall prosecute or defend all actions brought by or against the Secretary
3 of State, in any court, in connection with the enforcement of any of the prov-
4 isions of this Act.

Sec. 16. Nothing contained in this Act shall alter, amend or repeal any
2 provision of an Act entitled "An Act to tax gifts, legacies, inheritances, trans-
3 fers, appointments and interests in certain cases, and to provide for the collec-
4 tion of the same, and repealing certain Acts therein named." (Approved June
5 14, 1909. In force July 1, 1909.)

Sec. 17. If any clause, word, sentence, paragraph or part of this Act shall
2 be adjudged by any court of competent jurisdiction to be invalid or unconstitu-
3 tional, such judgment shall not affect, impair, invalidate or nullify the remain-
4 der of this Act, but the effect thereof shall be confined to the clause, word, sen-
5 tence, paragraph or part thereof immediately involved in the controversy in
6 which such judgment or decree shall be rendered.



1 Introduced by Mr. Baldwin, April 12, 1921.

2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act entitled an Act to secure the solvency of insurance companies transacting Workmen's Compensation Insurance and to provide for the supervision and regulation of rates and rate making for such insurance.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Trade and Com-
3 merce herein called the "department" shall have supervision and regulation
4 of the rates charged for Workmen's Compensation Insurance, herein called
5 "compensation insurance," upon any risk in this State. Re-insurance and retro-
6 cession are excluded from the provisions of this Act. The Industrial Com-
7 mission and every other department, board, commission or officer of this State
8 shall furnish to said department upon its request any information, aid or
9 assistance which it may deem necessary in the discharge of the duties hereby
10 imposed.

Sec. 2. Every insurance corporation, reciprocal or inter-insurance ex-
2 change, or other insurer, public or private, herein called "insurer," transact-

ing the business of compensation insurance in this State shall be a member of the compensation rating bureau herein provided, and such bureau shall admit to membership any insurer authorized to transact any compensation insurance in this State. Employers making payments directly to employees as authorized under the law of this State relating to workmen's compensation are not included as insurers under this Act, but the case of each such employer may be referred by the Industrial Commission to the Department, which shall promptly make or cause to be made, at the expense of such employer, an inspection of the premises, and report to said Industrial Commission upon the hazards and liabilities to be assumed in such case.

Sec. 3. The department shall fix the time and place for the first meeting of representatives of such insurers to organize the bureau, which meeting shall be held within thirty days after the taking effect of this Act. The department shall give notice thereof to each such insurer at least ten days before such vote. The bureau shall be governed by and shall conduct its business through a board of six directors. Two directors shall be selected by "stock members" consisting of insurance companies with capital stock, two directors shall be selected by "mutual members" consisting of all other insurers, one director representing employers operating under the workmen's compensation Act shall be selected by the employer members of the Industrial Commission, and one director representing employees operating under the workmen's compensation Act shall be selected by the employee members of the Industrial Commission. Each director shall hold office for one year and until his successor is selected as provided above. Vacancies shall be filled in like manner. Any action by the board shall require a two-thirds vote. Upon each committee equal representation shall be given to the "stock members" and the "mutual members," who shall respectively choose their own representatives as provided in the by-laws. The bureau shall adopt such articles and by-laws and shall make such amendments thereto as it shall deem necessary, and a copy of such articles and by-laws and all amendments thereto shall be filed promptly with said department.

21 No such articles, by-laws or amendments thereto shall be in effect following a
22 written order of disapproval by the department made after due notice and
23 hearing.

Sec. 4. The board shall annually elect a manager, who shall conduct the
2 business of the bureau as the board may direct. The director of Trade and
3 Commerce, herein called "director" or a salaried deputy or salaried employee of
4 of the department versed in compensation insurance, designated by said director,
5 shall act as chairman of the board and shall be entitled to attend all meetings
6 the members, the board and the committees. The expenses of such bureau
7 other than salaries and expenses of any Department representative, shall be
8 borne and paid by the members, and shall be equitably apportioned and collected
9 as provided in the by-laws and approved by the department.

Sec. 5. Such bureau shall make and fix adequate and reasonable rates to
2 be charged and paid for compensation insurance upon all classes of risks in this
3 State. The bureau shall adopt and keep on file its classification of risks, and
4 may adopt a system of schedule rating or of experience rating, or both, which
5 shall be filed with the department and shall not be in effect until approved by it.
6 No other classification shall be used. The bureau shall make and keep on file
7 necessary changes in classification and such additional surveys as may be neces-
8 sary for the proper rating or re-rating of all risks in this State.

Sec. 6. The bureau shall promptly make such inspections as it may deem
2 necessary, or as the department may order for one purpose of assigning each
3 risk to its proper class, and in the absence of such assignment by the bureau
4 each insurer shall assign such risk to its proper class, and report such assign-
5 ment to the bureau. The bureau shall as far as practicable inspect and make
6 and keep on file a written survey of each risk to which the system of rating is
7 applicable. Such written survey shall show the charges and credits, if any, and
8 give the location and description of all items occasioning charges and credits,
9 and shall show all other facts material in determining the rate upon such risk.

10 No such rates shall be in effect until approved by the department which may
 11 withdraw its approval at any time. If the department shall fail to act within
 12 thirty days from the filing of any rate by the bureau, such rate shall be deemed
 13 approved. The premium rates so fixed shall be kept on file by said bureau, and
 14 notice thereof and of any changes therein shall be given to all members without
 15 discrimination. No such compensation insurance shall be issued on any risk in
 16 this State, nor shall any premium or other payment thereon be collected, at a
 17 rate other than the rate so fixed and on file with the said bureau, subject to rate
 18 adjustments herein provided; except that an increased rate may be charged and
 19 collected for special inspection or other service rendered at the request of the
 20 insured, if a statement of such special service and increased rate is filed with the
 21 bureau. No member shall, directly or indirectly, vary from said rates or dis-
 22 criminate therein between insured having risks of the same degree of hazard or
 23 give or promise any rebate of any premium or payment for any such insurance;
 24 provided, that this shall not prevent the making of a refund or return of gains
 25 or savings from surplus by participating companies or associations; and pro-
 26 vided that such companies or associations shall file with the department at the
 27 time of submitting the annual report required by law, a statement of such gains
 28 or savings and the method of their distribution during the preceding calendar
 29 year.

Sec. 7. The department shall supervise and the bureau shall adopt by-laws
 2 regulating the collection and payment of premiums upon all compensation in-
 3 surance, including the making of periodical audits and collections by the in-
 4 surers where the amount of insurance and premium payments cannot be deter-
 5 mined in advance, and all members shall comply with such regulations and with
 6 the orders of the department in relation thereto.

Sec. 8. Until otherwise fixed by said bureau under this Act the rates in
 2 force under each policy upon each risk in this State shall, as to each insurer is-
 3 suing such policy or making such rate, be the rate in force upon such risk as to

4 such insurer, provided that no policy in force prior to the effective date of this
5 Act shall be continued in force beyond one year from the effective date of this
6 Act nor beyond the date of expiration originally fixed in the policy except at
7 rates approved by and on file with said bureau, as defined in Section 6 of this
8 Act.

Sec. 9. Each member shall furnish to such bureau, so far as it shall affect
2 the performance of the duties of the bureau, any and all information which the
3 bureau may acquire relating to any and all business transacted by such member
4 within or without this State, and the insurer under any insurance effected by
5 by such insurer within this State shall in like manner furnish to said bureau any
6 information required by the bureau for the purpose of transacting the business
7 and performing the duties required by this Act.

Sec. 10. The department shall gather, accumulate, compile and analyze
2 such material and data as may be necessary or convenient in and for the deter-
3 mination of such pure premiums and loadings for expenses and rates generally
4 for compensation insurance and the department may require the bureau to per-
5 form any or all such work and make such reports thereof as such department
6 may find necessary. All material and data so accumulated shall belong to the
7 office of the department and constitute a public record and be subject to its di-
8 rection and control.

Sec. 11. Any insured in this State shall be entitled on his written request
2 and the payment of such reasonable charges as may be fixed by the bureau, to
3 a copy of any survey of his risk made by such bureau. Any person affected by
4 by any act of the manager of such bureau shall be entitled, after filing written
5 objections with such manager, to a hearing before the board under such reas-
6 onable rules and regulations as may be fixed by such bureau with the approval
7 of said department.

Sec. 12. Any person affected by any order, act or omission on the part of
 2 such bureau may appeal therefrom to the department which shall give such
 3 hearing thereon as herein provided and make such order as the case may require.
 4 Such order shall be subject to review as provided in the following section, but
 5 no appeal shall stay the taking effect of an order or decision theretofore made,
 6 unless so ordered by the manager or board making such order, or by the de-
 7 partment, or by the court having jurisdiction of such appeal.

Sec. 13. The department shall have power to give notice of and hold hear-
 2 ing upon any question relating to the supervision and regulation of such rating
 3 bureau, and, in the review of any rate or of any regulation adopted by such bu-
 4 reau and in any such hearings, shall have power to summon and compel the at-
 5 tendance of witnesses and the production of testimony, and to employ stenog-
 6 raphers to take, transcribe and preserve such testimony, and to fix and order
 7 such change of any rate, schedule, practice or regulation as may be just and
 8 reasonable. The department shall keep full and true records of its proceedings,
 9 other than salaries and expenses of any department representative, shall be
 10 borne and paid by the bureau. Any salaried deputy or employee of the depart-
 11 ment versed in compensation insurance, appointed in writing by the director for
 12 that purpose, shall have and may exercise all the powers of said director under
 13 this Act, but no final determination of the question on which such hearing is had
 14 shall be made except by order of said director. Any final order made by said
 15 director in any such proceeding may, on application of any corporation, associ-
 16 ation or person affected thereby, not later than thirty days after receipt of
 17 written notice thereof, be reviewed by and upon an appeal to the circuit court for
 18 the county in which the office of said director is located. Such appeal shall be
 19 heard summarily by said court, under such rules as it may fix, but no testimony
 20 in addition to or different from that produced on the hearing before the said
 21 director shall be heard by said court, but if the court shall be satisfied that any
 22 party desires to offer material testimony on addition to or different from that
 23 that produced on the hearing before said director, the record shall be remanded

24 to said director, who shall proceed to take and hear such additional testimony
25 as may be offered and make such further order thereon as the case may require
26 subject to further proceedings in said court or to another appeal as herein pro-
27 vided. Such hearings, proceedings, orders and appeals shall in other respects,
28 so far as possible, be governed by the provisions of law relative to hearings, pro-
29 ceedings, orders and appeals from orders of said director or other departments
30 or commissions of this State.

Sec. 14. Any corporation, company or association wilfully violating this Act
2 or failing to comply therewith may be punished by a fine of not less than twenty-
3 five dollars nor more than one thousand dollars, and any officer, director, agent,
4 or employee of such corporation, company or association and any other person
5 wilfully violating this Act may be punished by a fine of not less than ten dollars
6 nor more than five thousand dollars. In case of a continued violation, each day's
7 violation shall constitute a separate offense. In addition to the aforesaid pen-
8 alty, the license of any member to do business in this State may be suspended
9 by said director for not exceeding ninbusiness in this State may be suspended



1 Introduced by Mr. Baker, April 12, 1921.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to classify the public roads of the State and to provide for the improvement and maintenance thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That all of the public roads of the State
3 be classified into the following classes:

4 *Class One Roads.* All highways authorized to be constructed under "An
5 Act in relation to the construction by the State of Illinois of a Statewide system
6 of durable hard-surfaced roads upon public highways of the State and the
7 provision of means for the payment of the cost thereof by an issue of bonds of
8 the State of Illinois," approved June 22, 1917, adopted by a vote of the
9 people November 5, 1918, and all highways constructed or authorized to be constructed,
10 by the State and Federal Governments, and known as "Federal Aid
11 Roads," shall be known as Class One Roads, provided, however, that the Department
12 of Public Works and Buildings may, in its discretion, add other highways
13 to this class.

14 *Class Two Roads.* All highways selected and designated as "State Aid
 15 Roads" under "An Act to revise the law in relation to roads and bridges," in
 16 force July 1, 1913, as amended; excepting therefrom such highways as are now
 17 or hereafter may become Class One Roads, shall be known as Class Two Roads,
 18 provided, however, that the county board of the county may, with the approval
 19 of the Department of Public Works and Buildings, add highways other than
 20 Class One Roads to this class.

21 *Class Three Roads.* The principally traveled roads of the township or road
 22 district to be selected by the highway commissioners subject to the approval of
 23 the county superintendent of highways, shall be known as Class Three Roads.

24 *Class Four Roads.* All other highways not otherwise classified as herein
 25 provided, shall be known as Class Four Roads.

Sec. 2. Class One Roads shall be under the direct control and supervision
 2 of the Department of Public Works and Buildings, and it shall improve, main-
 3 tain and repair said roads from moneys appropriated from the general funds of
 4 the State.

Sec. 3. The Department of Public Works and Buildings shall also, as soon
 2 as practicable, make a detailed survey of said roads, and shall definitely locate
 3 the same, said location to be shown and described on a map to be made for this
 4 purpose, together with all changes and additions which it may hereafter in its
 5 discretion make. A copy of such map, together with a copy of such changes,
 6 shall be filed in the offices of the county clerk and county superintendent of
 7 highways of each county.

Sec. 4. That, whenever the Department in its discretion shall deem it
 2 necessary to widen, relocate or alter any of said Class One Roads or to build,
 3 widen, relocate or alter any ditch, drain or watercourse in order to drain or
 4 protect said Class One Roads and to procure lands therefore or shall deem it
 5 necessary to acquire quarries, gravel pits, sand pits or other deposits or road
 6 material, in order to carry this Act into effect, it shall have the right to lease or

7 purchase the same, and if compensation therefore cannot be agreed upon with
8 the owner thereof, the Department of Public Works and Buildings shall have
9 the power of condemnation in its name, in the same manner as near as may be
10 as provided in "An Act to provide for the exercise of the right of eminent do-
11 main," provided that the Department shall not be required in any case to fur-
12 nish bond.

Sec. 5. Class Two Roads shall be under the direct control and supervision
2 of the county board of the county in which said roads are located, and the
3 county board shall improve, maintain and repair said roads from county funds
4 as provided herein.

Sec. 6. The county superintendent of highways shall, as soon as practi-
2 cable, make a detailed survey of said Class Two Roads, and shall definitely lo-
3 cate the same, subject to the approval of the Department of Public Works and
4 Buildings, and such location shall be shown and described on a map to be made
5 for this purpose, together with all changes and additions, which may here-
6 after be made, copies of which, together with copies of such changes, duly
7 approved by the Department shall be filed in the offices of the Department of
8 Public Works and Buildings and the county clerk of the county in which said
9 roads are located. The county board shall appropriate sufficient funds to pay
10 the expense of said surveys and maps.

Sec. 7. That, whenever the county board in its discretion shall deem it
2 necessary to widen, relocate or alter any of said Class Two Roads, or to build,
3 widen, relocate or alter any ditch, drain or watercourse in order to drain or
4 protect said Class Two Roads, and to procure land therefor, or shall deem it
5 necessary to acquire quarries, gravel pits, sand pits or other deposits of road
6 material in order to carry this Act into effect, it shall have the right to lease or
7 purchase the same, and if compensation therefor cannot be agreed upon with
8 the owner thereof, the county shall have the power of condemnation, in its
9 name, in the same manner as near as may be as provided in "An Act to pro-

10 vide for the exercise of the right of eminent domain," provided that the county
11 shall not be required, in any case, to furnish bond.

Sec. 8. For the purposes of improving, maintaining and repairing the
2 roads required to be improved, maintained and repaired by the county and for
3 the payment of lands, quarries, pits or other deposits of road materials acquired
4 by the county, the county board shall have the power to levy an annual tax in
5 addition to all other taxes it is now or may hereafter be empowered to levy, to
6 be known as a "County Maintenance Tax," provided that said "County Main-
7 tenance Tax," together with all other taxes levied for general county purposes
8 shall not exceed the constitutional limitation, unless otherwise authorized by a
9 vote of the people of the county.

Sec. 9. Class Three Roads and Class Four Roads shall be under the direct
2 control and supervision of the highway commissioner of the town or road dis-
3 trict, as now provided by law, provided, however, that the county board may aid
4 the township or road district to such an amount as it may deem fit, in the con-
5 struction, repair and maintenance of Class Three and Class Four Roads, in
6 which case said construction, repair or maintenance shall be subject to the
7 approval of the county superintendent of highways of the county.

Sec. 10. The respective authorities having jurisdiction over the various
2 classes of roads, as provided herein, shall have the power to exercise police
3 jurisdiction and to prescribe reasonable rules and regulations over the roads
4 under their respective control.

Sec. 11. Nothing contained in this Act shall be construed to modify, amend
2 or repeal existing laws relative to the construction, improvement, maintenance
3 or repair of State Aid Roads, State Bond Issue Roads, Federal Aid Roads or
4 roads constructed under Section 15d of the Road and Bridge Act, excepting in
5 case the county under the present Road and Bridge Act is now or may here-
6 after be responsible for all or part of the maintenance and repair on Class One
7 Roads in the county, then in that case the Department of Public Works and
8 Buildings shall assume jurisdiction of said Class One Roads and thereafter im-
9 prove, maintain and repair said roads.



- 1 Introduced by Mr. Chas. Curren, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prevent and punish wrongs to children and to repeal "An Act to prevent and punish wrongs to children," approved May 17, 1877, in force July 1, 1877, and all amendments thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful for any person
3 having the care, custody or control of any child under the age of fourteen years
4 to exhibit, use or employ, or in any manner, or under any pretense, sell, appren-
5 tice, give away, let out or otherwise dispose of any such child to any person for
6 begging or peddling, or for any obscene, indecent or immoral purpose, exhibition
7 or vocation injurious to the health, or dangerous to the life or limb of such
8 child, or cause, procure, or encourage any such child to engage therein.

Sec. 2. That it shall be unlawful for any person having the care, custody or
2 control of any child under the age of fourteen years to exhibit, use or employ, or
3 in any manner or under any pretense, sell, apprentice, give away, let or otherwise
4 dispose of any such child to any person in or for the vocation or occupation,

5 service or purpose of singing, playing on musical instruments, rope or wire
 6 walking, dancing, or as a gymnast, contortionist, rider or acrobat in any theatrical
 7 exhibition, musical theatrical, musical exhibition, concert or theatrical, or in any
 8 public place whatsoever, unless there is first obtained from a Circuit Judge of the
 9 district where such exhibition takes place, or the County or Probate Judge of the
 10 county where such exhibition takes place, a written permit authorizing the
 11 appearance of such child at such times and places as such judge may fix, *pro-*
 12 *vided*, that it appears to the satisfaction of such judge that the appearance of
 13 such child shall not be detrimental to its morals, health, safety, welfare or
 14 opportunities for education equivalent to that of the common schools, and such
 15 authority shall be revokable at the will of the authority giving it, and such
 16 written consent shall specify the name of the child, its age, the names and resi-
 17 dence of its parents or guardian, the nature, time duration and number of per-
 18 formances permitted, together with the place and character of the exhibition.
 19 Nothing in this section contained shall be construed to prevent the education of
 20 children in music, or their employment as musicians or participants in a church,
 21 chapel, school or school exhibition, or any home talent exhibition given by the
 22 people of the local community.

Sec. 3. That it shall be unlawful for any person, firm or corporation to
 2 take, receive, hire, employ, use, exhibit or have in custody, any child under the
 3 age and for the purposes prohibited in this Act, unless the permit herein pro-
 4 vided for is obtained.

Sec. 4. That it shall be unlawful for any person having the care or custody
 2 of any such child to wilfully cause or permit the life of such child to be in danger,
 3 or the health of such child to be injured, or to wilfully cause or permit such child
 4 to be placed in such a situation that its life or health may be in danger.

Sec. 5. Whoever shall be guilty of violating any of the provisions of this
 2 Act shall be fined for each and every offense not less than twenty-five dollars nor
 3 more than five hundred dollars by any court of competent jurisdiction.

Sec. 6. That "An Act to prevent and punish wrongs to children," ap-
2 proved May 17, 1877, in force July 1, 1877, as amended June 21, 1895, and in force
3 July 1, 1895, be and the same is hereby repealed.



- 1 Introduced by Mr. Bancroft, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to amend Sections 11, 15, 17, 26, 34, 41, 42, 43, 56 and 62 and the title of
"An Act to provide for drainage for agricultural and sanitary purposes and to
repeal certain acts therein named," approved June 27, 1885, in force July 1,
1885, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 11, 15, 17, 26, 34, 41, 42, 43, 56
3 and 62 of "An Act to provide for drainage for agricultural and sanitary pur-
4 poses and to repeal certain acts therein named," approved June 27, 1885, in
5 force July 1, 1885, as amended, are amended to read as follows:

Sec. 11. When the case involves a system of combined drainage *or drainage*
2 *and levees* in one town, and it is proposed that the cost shall be borne propor-
3 tionately by the several parties benefitted, a petition addressed to the drainage
4 commissioners shall be presented to the town clerk, signed by a majority in num-
5 ber of the adult owners of land lying in a proposed district, and they shall be the
6 owners in the aggregate of more than one-third of the lands lying in the pro-

7 posed district, or by the owners of the major part of the land and who constitute
 8 one-third or more of the owners of the land in the proposed district setting
 9 forth the boundaries, or a description of the several tracts of land thereof, or
 10 fractions as usually designated: *Provided*, that where two land owners only
 11 are concerned, the petition may be signed by one, or by both of these, and the
 12 amount of land owned by the parties shall not be a condition. Said petition
 13 shall state that the lands lying within the boundaries of said proposed district
 14 require a combined system of drainage or protection from wash or overflow;
 15 that the petitioners desire that a drainage district may be organized, embracing
 16 the lands therein mentioned, for the purpose of constructing, repairing or main-
 17 taining a drain or drains, ditch or ditches, embankment or embankments, grade
 18 or grades, *levee or levees, pumping plant or plants, in connection therewith*, or
 19 *all or any or either of the same* within said district, for agricultural and sani-
 20 tary purposes, by special assessments upon the property benefited thereby. The
 21 names of the owners of the several tracts of land, together with their postoffice
 22 address, shall be given so far as known.

Sec. 15. At the time appointed for the adjourned meeting, the commission-
 2 ers shall meet and examine the map and report of the engineer, if any engineer
 3 shall have been employed, and said commissioners shall have power to change
 4 the boundaries of such proposed district from the boundaries given in the peti-
 5 tion, so as to take in land not embraced, or exclude lands taken into said pro-
 6 posed district, and shall permit additional signatures to be made to the peti-
 7 tion by any adult person or persons owning land in, or owning land desired to
 8 be taken into such proposed district, to the end that a majority of the adult
 9 owners of land in the district as finally to be organized, and who shall be the
 10 owners in the aggregate of more than one-third ($1/3$) of such land, or by the
 11 owners of the major part of the land, and who constitute one-third or more
 12 of the owners of land in the proposed district, shall have signed the petition,
 13 which facts said commissioners shall find and put such finding in writing, and

14 the same shall be filed and the clerk shall enter the same in his record, which
15 finding shall be conclusive. And said commissioners may adjourn the meeting
16 provided for in this section, not less than five (5) days at a time, and not more
17 than fifteen (15) days in all, for the purpose of making the necessary exam-
18 inations and findings, and shall publicly announce the time and place they so
19 adjourned; and if, from their own examination, and said map and report, if
20 any there be, it shall appear that the lands included in the proposed district
21 will be benefited for agricultural and sanitary purposes by the construction
22 of a drain *or drains, ditch or ditches, embankment or embankments, grade or*
23 *grades, levee or levees, pumping plant or plants in connection therewith, or a*
24 *combined system of drainage or all or any or either of them within said dis-*
25 *trict,* they shall so find, unless they shall find, from the evidence of witnesses
26 then introduced that the cost of the proposed work will exceed the benefits to
27 be derived therefrom. And should they find in favor of the petitioners, or
28 should a two-thirds ($2/3$) majority of the owners of land owning more than
29 one-half of the lands lying in said proposed district still desire the formation
30 of said district, and such desire shall be evinced by a failure to withdraw their
31 signatures from the petition, the commissioners shall enter on their record an
32 order in writing organizing said drainage district, and such district shall there-
33 upon be declared fully organized. Each district shall be designated by a number,
34 as drainage district No.....in.....township,
35 county and State of Illinois. And when the commissioners shall have organ-
36 ized said district, they shall cause a map thereof, showing the boundaries
37 thereof, to be made, and the same shall be filed with the other papers in the case.
38 The signing of any petition referred to in this act shall be taken as conclusive
39 against the persons so signing that they have accepted the provisions of this
40 act as to their assessments of benefits and damages thereunder.

Sec. 17. Upon the organization of a drainage district, the commission-
2 ers shall go upon the land and determine upon a system of drainage, which
3 shall provide main outlets of ample capacity for the waters of the district, hav-

ing view the future contingencies, as well as the present. Preference shall be given to tile drains whenever these will accomplish the purpose and when open drains are deemed necessary, if it be practicable these shall follow boundary lines, and parallels or right angles, as the case may be, provided the drainage shall not be impaired thereby. Unless the district is small, and the plans are manifestly of easy determination, a competent engineer shall be employed to locate and advise upon the character of the work to be done, and report in writing, with maps, profiles and estimates of cost, and in a general way, the benefits to accrue to the lands in the several localities of the district. The maps and papers showing the final determination, as to the system of drainage, shall be filed in the clerk's office and be recorded in the drainage record. *If the petition for the organization of the said drainage district shall pray for the construction of a levee or levees, pumping plant or plants, or any or either or all of the same, the drainage commissioners shall cause the engineer of the said drainage district to prepare plans for the said levee or levees, pumping plant or plants, or either or any or all of them, as the case may be, and set forth the route and termini of the said levee or levees and the location of the said pumping plant or plants.*

Sec. 26. The commissioners by resolution shall order such amount of money to be raised by special assessment upon the lands of the district as may be necessary, and such amount shall be apportioned among the several tracts in the name of the owner when known, according to acreage of each and its figure of classification on the graduated scale, so that each tract may bear its equal burden in proportion to benefits. They shall make out a special assessment roll hereinafter designated tax list, setting down in separate columns the owners' names, when known, and when unknown, stating unknown, a description of the land, the number denoting the classification, the tax, the damages allowed, if any, or any other credit to be given to the owner. The balance of tax over credits or of damages or other credits over the tax, showing the amount due to the district by each landowner on the separate tracts, or due to the land-

13 owner by the district, shall be set down, in final columns. When completed, the
14 list shall be filed with the town clerk. The tax list may be substantially as
15 follows:

SPECIAL ASSESSMENT TAX LIST OF.....
(Here insert name of district.)

Owner's Name	Description of Land				No. Classification on Scale	Tax Levied		Total Credits		Balance Due District		Balance Due Owners		Remarks
	Sec.	Tp.	R.	A.		Dol.	cts.	Dol.	cts.	Dol.	cts.	Dol.	cts.	

16 If any landowner or any commissioner of highways has not been properly
17 notified in accordance herewith of the hearing in reference to the classification
18 of the lands and public roads, this shall not affect the validity of the tax or
19 special assessment so levied against any land or the public roads except the tax
20 or special assessment so levied against the particular tract or tracts of land
21 whose owner has not been properly notified, or the road in reference to which
22 the commissioner of highways has not received the proper notice.

23 At the time the commissioners make a levy for the payment for the work
24 to be done in the said district, they shall also, if the work includes the construc-
25 tion of a levee or levees, pumping plant or plants, provide for the annual col-
26 lection of a maintenance assessment which is to be assessed and extended upon
27 the said classification in the proportion as provided therefor, and which shall
28 be due on the first day of September of each year, and used for the purpose of
29 maintaining the said levee, or levees, pumping plant or plants, and to pay the
30 expense of operating the said pumping plant or plants but the said annual
31 assessment may be applied to caring orf, straightening, widening, deepening or
32 otherwise improving the ditches or drains embraced in the said drainage dis-
33 trict, and to the expense of raising, straightening and protecting the levee or

34 *levees of said district when required to protect the lands embraced in the said*
 35 *district.*

Sec. 34. The said commissioners, when they have procured the right of
 2 way for the proposed work, may divide the ditch or ditches, *drain or drains,*
 3 *embankment or embankments, grade or grades, levee or levees,* into sections a
 4 quarter of a mile in length, except the remainder or remainders after taking
 5 out as many sections as the work contains, which remainder or remainders may
 6 be let with the adjoining section, or separately, as the commissioners may
 7 think best; or they may let the entire work in one or more contract: *Provided,*
 8 that in case the work is on the farms or lands of two parties only, the amount
 9 on each shall be let separately, and the owners of the land shall have the pref-
 10 erence, where the bids are equal, to construct that part belonging to his own
 11 land, and this rule may be applied to a larger number, if the commissioners
 12 shall unanimously agree to same.

Sec. 41. After the completion of the work the commissioners shall there-
 2 after keep the same in repair, and if they find by reason of error in locating
 3 or constructing the ditches, *drains, embankments, grades, levees, pumping*
 4 *plants or any or either of them,* or from any other causes, the lands of the dis-
 5 trict are not drained or protected as contemplated, or some of them receive
 6 partial or no benefit, they shall use the corporate funds of the district to carry
 7 out the original purpose to the end that all the lands, so far as practicable, shall
 8 receive their proper and equal benefits as contemplated when the lands were
 9 classified. *If it be necessary, the said commissioners shall use the corporate*
 10 *funds of the district or make additional levies for the purpose of constructing*
 11 *embankments, grades, levees or pumping plants, or either or any or all of them,*
 12 *even though the original work of the said district consists simply of a system*
 13 *of ditches or drains independent of levees.* If it be necessary to clear and en-
 14 large any natural or artificial channels lying beyond the boundaries of the dis-
 15 trict to obtain a proper outlet, the commissioners shall use the corporate funds

16 for this purpose, and if the necessary privileges can not be obtained for this
17 by agreement with the land owners or the commissioners, if the land or lands
18 through which such outlet must be made are within another organized district,
19 the commissioners may acquire the same by condemnation under the act for
20 exercising the right of eminent domain: *Provided*, in all such cases, if suffi-
21 cient funds are not on hand, the commissioners shall make a new tax levy:
22 *Provided, further*, that the commissioners of any drainage district organized
23 under the laws of this State who, to secure a proper outlet, have enlarged or
24 improved, or may hereafter enlarge or improve any natural or artificial chan-
25 nel lying beyond the boundaries of the district, as provided for in this section,
26 upon lands owned by private individuals or which may be, or hereafter become,
27 a part of another organized district, and who by such work, have or may
28 hereafter benefit the whole or a part of such lands, whether the privilege to
29 so enlarge or improve was or may be obtained by agreement with the owners
30 of the lands or the commissioners, if such lands are a part of another organ-
31 ized district, or acquired by condemnation under the act for the exercise of
32 the right of eminent domain, the commissioners of the district above who have
33 or who may hereafter enlarge or improve such natural or artificial channel
34 beyond the boundaries of their district, may collect from said landowner or
35 owners or other drainage district or districts, as the case may be, such an
36 amount as may be considered a fair compensation for the benefits received by
37 the lands lying below the district, which has or may hereafter extend its work
38 beyond its boundaries to secure a proper outlet as herein provided. The
39 amount representing such benefits may be fixed by agreement between the com-
40 missioners of the upper district and the owners of lands lying below the upper
41 district, or the commissioners of the lower district if the lands are so organ-
42 ized: *Provided*, that if such agreement can not be made as will be satisfactory
43 to the parties interested, the commissioners of the upper district shall be
44 empowered to bring suit in the name of the people of the district against the
45 owners of the lands lying below, or the commissioners of the lower district, if

46 such lands are organized as a drainage district, in the circuit court of the county
 47 in which such drainage district is organized, to recover such an amount as will
 48 represent the benefits received by the said lower lands or organized district.
 49 And if said commissioners are successful in such suit the court shall enter a
 50 judgment against the owner or owners of the lands or the commissioners of
 51 such other drainage district or districts, as the case may be, and the amount
 52 of such judgment shall be collected by due process of law, and shall be a lien
 53 upon the lands or drainage district against which the judgment has been ren-
 54 dered until paid: *And, provided, further,* that where such lands are within
 55 another organized district the commissioners of the district against whom, as
 56 commissioners, a judgment may be rendered for benefits accruing to lands
 57 within the lower district, shall proceed to classify the lands within such district
 58 and shall raise by special assessment the amount of such judgment, which shall
 59 be levied upon the lands of said district, and when collected be turned over to
 60 the treasurer of the upper district.

Sec. 42. Nothing in this act shall be construed to forbid the landowners
 2 within the district to more completely drain their lands by using the common
 3 drains as outlets to lateral drains; and the owners of lands outside the drain-
 4 age district, or in other drainage districts, may connect with the ditches of the
 5 district already made, by the payment of such amount as they would have been
 6 assessed if originally included in the district, or if such connection shall, by
 7 increase of water, require an enlargement of the district ditches, then the out-
 8 side owners of land so connecting, or other drainage districts as may be, shall
 9 pay the costs of such enlargement. If individual landowners outside the district
 10 shall so connect, they shall be deemed to have voluntarily applied to be in-
 11 cluded in the district, and their lands benefited by such drainage shall be
 12 treated, classified and taxed like other lands within the district. Drainage com-
 13 missioners may, at any time, enlarge the boundaries of their district by attach-
 14 ing new areas of land which are involved in the same system of drainage

15 *or which will be or are benefited by the grade or grades, embankment or em-*
16 *bankments, levee or levees, constructed or proposed to be constructed in the*
17 *said district, or require for an outlet the drains of the district made or pro-*
18 *posed to be made, as the case may be, upon petition of as great a proportion*
19 *of the landowners of the area to be added, as is required for the original dis-*
20 *trict. All changes thus made in the district shall be duly noted and shown*
21 *upon the map and recorded in the drainage record.*

22 If, after the organization of any drainage district, the commissioners
23 thereof shall be of the opinion that there are lands lying outside of such drain-
24 age district, as organized, which are or will be benefited by the work done in
25 said drainage district, or by work ordered to be done therein, such lands, in
26 case they are not included in any other drainage district, shall be deemed to
27 have made voluntary application to be included in said drainage district, by
28 the work of which they are or will be benefited; and thereupon the commission-
29 ers shall prepare a petition setting forth a description of such lands or land
30 benefited, giving the name of the owner or owners thereof, if known, and the
31 postoffice address of such owner, together with a general description of the
32 drain or ditch, if any, making connection with the ditches of such district;
33 such petition shall be filed in the county court of the county where such district
34 was organized. The court shall fix a day when the court will hear such petition
35 and thereupon the commissioners shall give ten days' notice thereof, which no-
36 tice shall embrace a copy of the petition, and service thereof shall be by
37 delivering a copy thereof to each owner named therein, or by publishing a copy
38 thereof in some newspaper in the county where said lands, or the greater part
39 thereof, lie, or by posting ten copies thereof in ten of the most public places
40 in or near the land sought to be annexed to the drainage district; the certifi-
41 cate of the publisher or the affidavit of the person delivering or posting such
42 notices shall be evidence thereof. At the time fixed, or at a time continued
43 from such time fixed, the court shall hear said cause, and if judgment is ren-
44 dered in favor of petitioners, a copy of the petition and proof of service of

45 notice thereof, together with order of judgment thereon, shall be delivered to
46 the clerk of the drainage district, who shall file and record the same in the
47 drainage record, and upon entry of such judgment the lands described in the
48 said petition shall be deemed a part of the district and subject to all provi-
49 sions of this act. Every landowner whose land is thus annexed to any drain-
50 age district shall have a right to appeal from the order of the county court,
51 annexing said land to the said drainage district, to the circuit court of the said
52 county, upon filing a bond in a sum to be fixed by the judge of the county
53 court, the said appeal to be prayed within ten (10) days after the order has
54 been entered by the court annexing the said land to the said drainage district.
55 Land annexed to a drainage district, under any of the provisions of this sec-
56 tion, shall be classified and assessed with the other lands therein, unless such
57 classification shall have already been made, in which event the lands so annexed
58 to the district shall be classified proportionately to such established classifica-
59 tion with like proceedings in reference to assessment and right of appeal.

Sec. 43. Sub-districts may be formed by owners of land in main districts
2 for the purpose of local or more minute drainage *or protection from overflow*
3 in the manner provided in this act for the organization of main districts. Such
4 sub-districts shall have the right to use the ditches of the main district for out-
5 lets; or in drainage districts organized, or proposed to be organized, which have
6 one or more lateral drains or proposed drains which are independent of each
7 other, except as to the main drain or outlet, and which do now or will drain
8 separate areas within said district, it shall be and may be lawful for the com-
9 missioners, at their option, to divide the districts into as many sub-districts as
10 there are separate areas for the purpose of making assessments of benefits for
11 the work to be done in said sub-district; such division may be made so as to
12 form one or more such districts at the same time, or from time to time, as the
13 commissioners may deem expedient: *Provided*, the formation of sub-districts
14 on either method as above provided shall not operate to release the lands in
15 such sub-districts from the payment of any assessment or levy made prior to

16 such division nor from any assessment or tax levy which may thereafter be
17 made for the payment of the completion, maintenance or repair of the main
18 work, or for the principal and interest of any indebtedness incurred by the
19 main district, nor shall it give such sub-district any claim on the funds of the
20 main district for its local use: *Provided, further,* that when sub-districts are
21 organized under this act, which have one or more lateral drains or proposed
22 drains, which are independent of each other, except as to the main sub-district
23 ditch or outlet and which do now or will drain separate areas within said sub-
24 districts, the commissioners may, as provided for in this section, divide such
25 sub-districts into as many minor sub-districts as there are separate areas within
26 such sub-districts to be drained, for the purpose of making assessments of bene-
27 fits for the local or *more* minute drainage to be done in such minor sub-dis-
28 tricts: *And, provided, further,* that the formation of such minor sub-districts,
29 as herein provided for, shall not operate to release the lands in such minor sub-
30 districts, from the payment of any assessment or levy made prior to such divi-
31 sion, nor from any assessment or tax levy which thereafter may be made, for
32 the completion, maintenance or repair of the main outlets or ditches in sub-
33 districts, or in main districts, or for the payment of the principal and interest
34 of any indebtedness incurred by the sub-district or main district nor shall it give
35 such minor sub-district any claim upon the funds of the sub-district or the main
36 district for its local use. Sub-districts which contain not less than five
37 sections of land, upon the filing of a petition signed by a majority of the land
38 owners of said sub-district with the county clerk in favor of the election of a
39 board of commissioners for said sub-district, shall proceed at the next succeed-
40 ing annual election of drainage commissioners to elect such a drainage board.
41 The notices of the election of such sub-district commissioners, the time of hold-
42 ing and making returns of the same, and the term of office, shall be the same
43 as provided in this act for the election of commissioners in original or main
44 districts, and the compensation of such commissioners shall be the same as is
45 provided for main district commissioners. It shall be the duty of the main

46 district commissioners to control all matters pertaining to main district drain-
 47 age and sub-districts not having independent commissioners. Sub-district com-
 48 missioners as provided for in this act, shall have charge of and control over
 49 all matters pertaining to drainage within their respective sub-districts and of
 50 drainage within their respective minor sub-districts, as provided for in this
 51 act, except such work as belongs exclusively to the main districts and classifi-
 52 cation and assessments made within such sub-districts and such minor sub-
 53 districts, on account of the main work. The matter of securing right of way,
 54 ascertaining damages, review of classification and assessments and appeals
 55 therefrom, making repairs, additional work and additional assessments in sub-
 56 districts and minor sub-districts shall be controlled by the provisions of this
 57 act, applicable to the main district. *It shall be lawful for the commissioners*
 58 *of any drainage district, organized under this act, and they shall have the*
 59 *power, either on petition of the land owners as aforesaid, or without any peti-*
 60 *tion, to construct a ditch or ditches, drain or drains, levee or levees, pumping*
 61 *plant or pumping plants, or any or either or all of the same, in connection there-*
 62 *with, in any sub-district organized, or to be organized within this section, and*
 63 *to do so even though the work done or to be done in the main district includes*
 64 *no levee or levees, grade or grades, pumping plant or pumping plants, or any*
 65 *of them, and to make assessment or assessments in said sub-district or sub-dis-*
 66 *tricts for the purpose, not alone for the construction of the said ditch or ditches,*
 67 *drain or drains, levee or levees, pumping plant or pumping plants, or any or*
 68 *either or all of the same, as in main districts, but for the maintenance of the*
 69 *same, or any, either, or all of the same, in the same manner as assessments are*
 70 *made for the maintenance of the ditch or ditches, drain or drains, levee or*
 71 *levees, pumping plant or pumping plants, or any or either or all of the same*
 72 *in the main district.*

Sec. 56. The commissioners, as soon as they are elected or appointed
 2 and qualified, shall go upon the land included in said drainage district and de-

3 termine upon a system of drainage, which shall provide main outlets of ample
 4 capacity for the waters of the district, having in view, the future contingencies,
 5 as well as the present. A competent engineer shall be employed to locate and
 6 advise upon the character of the work to be done, and report in writing, with
 7 maps, profiles and estimates of cost, and in a general way, the benefits to
 8 accrue to the lands in the several localities of the district. They shall make,
 9 or cause to be made, a map or plat of the district and of the work to be done
 10 therein, which map shall show with reasonable certainty, the location of the
 11 proposed work, and they shall give a name or number to each ditch or drain.
 12 The maps and papers showing the final determination, as to the system of
 13 drainage, shall be filed in the clerk's office and be recorded in the drainage
 14 record. *If the petition for the organization of the said drainage district shall*
 15 *pray for the construction of a levee or levees, a pumping plant or plants, the*
 16 *drainage commissioners shall cause the engineer of the said drainage district to*
 17 *prepare plans for said levee or levees, pumping plant or plants, and set forth*
 18 *the route and terminus of said levee or levees, and the location of said pump-*
 19 *ing plant or plants.*

Sec. 62. As soon as the classification has been corrected and confirmed by
 2 the commissioners or court of appeal, as provided in the preceding section, it
 3 shall be competent for the commissioners to order such an amount of money to
 4 be raised by special assessment upon the lands of the districts which are bene-
 5 fited as may be necessary, according to the best judgment of the commission-
 6 ers, which amount shall be certified and returned by the commissioners to the
 7 clerk of said court, who shall record the same in the drainage record. The cer-
 8 tificate may be substantially as follows:

9 We hereby certify that we require the sum of.....dollars to
 10 be levied as a special assessment or tax, for drainage purposes, on the lands
 11 and property benefited in the.....special drainage district, in the county
 12 (or counties) of..... and State of Illinois.

43 ings, and when paid shall be distributed to the officers entitled to the same, as
44 part of the fees of their respective offices.

Sec. 2. The title of said act is amended to read as follows:

2 “An Act to provide for the construction, reparation and protection of
3 drains, ditches and levees for agricultural and sanitary purposes across the
4 lands of others, and to provide for the irrigation of drainage districts, and to
5 repeal certain acts therein named.”



1 Adopted May 12, 1921.

AMENDMENT NO. 1.

Amend House Bill No. 641, as printed, by striking out of the printed bill
2 the title of the act as therein printed, and inserting in lieu thereof the fol-
3 lowing:

4 For an Act to amend an act entitled, "An Act to provide for drainage for
5 agricultural and sanitary purposes and to repeal certain acts therein named,"
6 approved June 27, 1885, in force July 1, 1885, as amended, and to amend the
7 title of said act.



- 1 Introduced by Mr. Frisch, April 12, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Sections 35 and 37 of "An Act in relation to motor vehicles and to repeal a certain Act therein named," approved June 30, 1919, in force January 1, 1920, and to add Sections 35a, 35b, 35c and 35d thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Sections 35 and 37 of "An Act in rela-
3 tion to motor vehicles and to repeal a certain Act therein named," approved
4 June 30, 1919, in force January 1, 1920, are amended, and Sections 35a, 35b,
5 35c and 35d are added thereto, the amended and additional sections to read as
6 follows:

Sec. 35. Any person or persons, firm or corporation who, after the taking
2 effect of this Act, shall sell or offer for sale in this State or who shall own or
3 have the custody or possession of a motor vehicle, the original engine number
4 of which has been destroyed, removed, altered, covered, or defaced or who shall
5 sell or offer for sale, own or have the custody of possession of a motor vehicle
6 having no engine number, excepting electrically propelled motor vehicles, shall

7 be deemed guilty of a misdemeanor, and upon conviction thereof shall be pun-
8 ished by a fine of not less than two hundred dollars (\$200.00), nor more than
9 five hundred dollars (\$500.00), or by imprisonment in the county jail for a
10 term of not less than thirty days nor more than one hundred eighty days, or
11 by both such fine and imprisonment, and upon a second conviction under this
12 section the punishment shall be imprisonment in the penitentiary for a term not
13 less than one year nor more than five years.

14 It shall be the duty of every sheriff, deputy sheriff, constable, chief of police
15 or other peace officer in this State having knowledge of a motor vehicle, the
16 engine number of which has been destroyed, removed, covered, altered or de-
17 faced, immediately to seize and take possession of such motor vehicle, arrest
18 the supposed owner and custodian thereof, and cause prosecution to be brought
19 in a court of competent jurisdiction. It shall be the duty of the court to retain
20 the custody of said motor vehicle pending the prosecution of the person
21 arrested.

Sec. 35a. *In case such person is found guilty, the court, upon rendition of*
2 *judgment shall fix a date for the condemnation of the motor vehicle, which date*
3 *shall be not less than sixty days after the rendition of the said final judgment.*
4 *The clerk of the court shall thereupon cause publication to be made in some*
5 *newspaper printed in his county, and if there be no newspaper published in*
6 *his county, then in the nearest newspaper published in this State, containing*
7 *a notice to the unknown owner of the motor vehicle that unless the said motor*
8 *vehicle is claimed by the owner on or before the date fixed by the court, it will*
9 *be condemned by the court and ordered sold. Such notice shall contain as full*
10 *a description of the motor vehicle as is prescribed by Section 8 of this Act in*
11 *case of an application for license. Such notice shall be published at least once*
12 *in each week for four successive weeks, the first publication to be at least forty-*
13 *five days prior to the day fixed by the court for the condemnation of the said*
14 *motor vehicle.*

A notice substantially in the following form shall be sufficient:

"State of Illinois,.....County.

In the.....court thereof.

NOTICE.

To the Unknown Owner of the following described motor vehicle:

(Insert description.)

The said motor vehicle is now in the custody of the said court. Unless the owner of the said motor vehicle shall appear and establish his title thereto on or before....., 19....., the motor vehicle will be condemned by this court and ordered sold.

*.....
Clerk."*

Sec. 35b. Within ten days after the first publication of such notice, the clerk shall send one hundred and five (105) copies thereof to the Secretary of State. The Secretary of State shall, within five days after the receipt thereof, send one copy to the county clerk of every county in this State. The Secretary of State, and the county clerk of every county shall keep a copy of said notice on file for public inspection until the expiration of the time fixed in the notice for the condemnation of the motor vehicle.

Sec. 35c. Upon compliance with Section 35a of this Act, the court shall have jurisdiction to condemn the motor vehicle and order it sold. The requirements of Section 35b of this Act shall not effect the jurisdiction of the court.

Sec. 35d. If the true owner of such motor vehicle does not appear and establish his title thereto on or before the date fixed by the court, the court shall condemn the motor vehicle, and shall proceed to advertise and sell said motor vehicle in the manner provided by law for the sale of personal property under execution. Such advertisement shall contain, as nearly as may be, as full a description of such motor vehicle as is prescribed by Section 8 of this

7 Act in case of an application for license, and a copy of such advertisement
8 shall be mailed to the Secretary of State. The proceeds of such sale shall be
9 applied on the payment of the fine and costs of such prosecution and sale, *if*
10 *such payment has not been made*, and if after the payment of the same there
11 shall be any sum remaining, such sum shall be *deposited by the court with the*
12 *county treasurer*. The purchaser of said motor vehicle shall remove said en-
13 gine from said motor vehicle and shall tear the same apart and shall not dis-
14 pose of it as a whole or so that it might be thereafter used as an engine in any
15 motor vehicle.

16 If at any time while such motor vehicle remains in the custody of the
17 court or officer, the true owner shall appear and establish his title thereto, to
18 the satisfaction of the court in which such prosecution is brought, the same
19 shall be returned to such owner, who shall have the original engine number
20 restored and may thereafter use the same upon notifying the Secretary of
21 State of the facts and obtaining a license therefor in accordance with this Act
22 if he has not such a license.

23 From and after the going into effect of this Act, the Secretary of State
24 shall not register any motor vehicle without an engine number or issue a license
25 for the operation of the same.

Sec. 37. It is hereby made the duty of each and every person, firm, asso-
2 ciation, corporation, or co-partnership operating a public garage in this State,
3 to keep for public inspection a record of the license numbers, *serial numbers*
4 and engine numbers of all motor vehicles taken in or held in charge by said
5 garage for the purpose of selling, rental, livery, storage or repair. Said record
6 shall contain the name and address of the owner of the motor vehicle, the name
7 and address of the person delivering or taking the motor vehicle to the garage,
8 and the license number, *serial number* and engine number thereof. *A copy of*
9 *such record covering the preceding twenty-four hours, shall be filed with the*
10 *chief of police or city marshal of the city, village or town in which the garage*
11 *is located each day at the hour of 12 o'clock noon*. The alteration or obliteration

tion of said engine number shall be *prima facie* evidence of larceny of said motor vehicle, and the proprietor, agents, servants or employees of any garage in this State, immediately upon the discovery of such obliteration or alteration, shall notify the sheriff and police officers of the proper county, or city, town or village where such garage is situated, and shall hold such motor vehicle for a period of twenty-four hours, or until investigation shall have been made by the sheriff or police officers: *Provided, however,* such record need not be made when a motor vehicle is taken in or held in charge a second time, for regular storage but an inspection of the motor and serial numbers shall be made and any obliteration or alteration shall be reported as heretofore provided in this Act.



- 1 Introduced by Mr. McCabe, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to prevent and punish wrongs to children and to repeal "An Act to prevent and punish wrongs to children," approved May 17, 1877, in force July 1, 1877, and all amendments thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful for any person
3 having the care, custody or control of any child under the age of fourteen years
4 to exhibit, use or employ, or in any manner, or under any pretense, sell, appren-
5 tice, give away, let out or otherwise dispose of any such child to any person for
6 begging or peddling, or for any obscene, indecent or immoral purpose, exhibition
7 or practice whatsoever, or for or in any business, exhibition or vocation injur-
8 ious to the health, or dangerous to the life or limb of such child, or cause, pro-
9 cure, or encourage any such child to engage therein.

Sec. 2. That it shall be unlawful for any person having the care, custody or
2 control of any child under the age of fourteen years to exhibit, use or employ, or
3 in any manner or under any pretense, sell, apprentice, give away, let or otherwise
4 dispose of any such child to any person in or for the vocation or occupation,

5 service or purpose of singing, playing on musical instruments, rope or wire
 6 walking, dancing, or as a gymnast, contortionist, rider or acrobat in any theatrical
 7 exhibition, musical theatrical, musical exhibition, concert or theatrical, or in any
 8 public place whatsoever, unless there is first obtained from a Circuit Judge of the
 9 district where such exhibition takes place, or the County or Probate Judge of the
 10 county where such exhibition takes place, a written permit authorizing the
 11 appearance of such child at such times and places as such judge may fix, *pro-*
 12 *vided*, that it appears to the satisfaction of such judge that the appearance of
 13 such child shall not be detrimental to its morals, health, safety, welfare or
 14 opportunities for education equivalent to that of the common schools, and such
 15 authority shall be revokable at the will of the authority giving it, and such
 16 written consent shall specify the name of the child, its age, the names and resi-
 17 dence of its parents or guardian, the nature, time duration and number of per-
 18 formances permitted, together with the place and character of the exhibition.
 19 Nothing in this section contained shall be construed to prevent the education of
 20 children in music, or their employment as musicians or participants in a church,
 21 chapel, school or school exhibition, or any home talent exhibition given by the
 22 people of the local community.

Sec. 3. That it shall be unlawful for any person, firm or corporation to
 2 take, receive, hire, employ, use, exhibit or have in custody, any child under the
 3 age and for the purposes prohibited in this Act, unless the permit herein pro-
 4 vided for is obtained.

Sec. 4. That it shall be unlawful for any person having the care or custody
 2 of any such child to wilfully cause or permit the life of such child to be in danger,
 3 or the health of such child to be injured, or to wilfully cause or permit such child
 4 to be placed in such a situation that its life or health may be in danger.

Sec. 5. Whoever shall be guilty of violating any of the provisions of this
 2 Act shall be fined for each and every offense not less than twenty-five dollars nor
 3 more than five hundred dollars by any court of competent jurisdiction.

Sec. 6. That "An Act to prevent and punish wrongs to children," ap-
2 proved May 17, 1877, in force July 1, 1877, as amended June 21, 1895, and in force
3 July 1, 1895, be and the same is hereby repealed.



- 1 Introduced by Mr. Boyle, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Article XII of an Act entitled "An Act to provide for the incorporation of cities and village," approved April 10, 1872, in force July 1, 1872, by adding to part two thereof three new sections to be known as Sections 8, 9 and 10, and by amending Sections 4, 5, 6, 7, 8, 9, 11, 12 and 13 of part four thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Article XII of "An Act to provide for
3 the incorporation of cities and villages," approved April 10, 1872, in force July
4 1, 1872, as amended, is hereby amended, in pursuance of Section 34 of Article
5 IV of the Constitution, by adding to part two thereof three new sections to be
6 known as Sections 8, 9 and 10, and by amending Sections 4, 5, 6, 7, 8, 9, 11,
7 12 and 13 of part four thereof, said new sections to read as follows:

PART TWO.

Sec. 8. The city clerk, upon the expiration of the term of the incumbent at
2 the time this Act becomes operative, shall be elected by the city council. He shall

3 have no fixed term, but shall hold office during the pleasure of the city council.
 4 He shall perform the duties now or hereafter prescribed by law or by the city
 5 council for the city clerk.

Sec. 9. The city treasurer, upon the expiration of the term of the incumbent
 2 at the time this Act becomes operative, shall be elected by the city council. He
 4 shall have no fixed term but shall hold office during the pleasure of the city
 5 council. He shall perform the duties now or hereafter prescribed by law or by
 6 the city council for the city treasurer.

Sec. 10. The city clerk and the city treasurer shall be elected separately by
 2 the city council by resolution concurred in by a majority of the aldermen
 3 elected on a "Yea" and "Nay" vote which shall be entered on the journal of
 4 its proceedings. By resolution, adopted in like manner, the city council may at
 5 any time remove the city clerk or city treasurer. Upon a vacancy occurring in
 6 any such office by death, resignation, removal or otherwise, the city council
 7 shall fill such office by election in the manner hereinabove provided. The elections
 8 provided for by law for the offices of city clerk and city treasurer shall be
 9 abolished in the City of Chicago from and after the adoption of this Act by the
 10 voters.

PART FOUR.

Sec. 4. The provisions of this Act shall apply to all elections for *mayor and*
 2 aldermen in the city of Chicago. The name of no person shall be printed upon
 3 the official ballot as a candidate for *mayor or alderman* unless the terms of this
 4 Act shall have been complied with. If recall elections are provided for, to be
 5 held within the city of Chicago, the provisions of this Act shall apply to such
 6 elections, except to the extent that provisions inconsistent herewith are made by
 7 law providing for such recall elections.

Sec. 5. General elections for *mayor or aldermen or both* shall be held in
 2 the year or years fixed by law for holding the same, on the last Tuesday of Feb-

ruary of such year. Any supplementary election for *mayor or* aldermen held under the provisions of this Act shall be held on the first Tuesday of April next following the holding of such general *municipal* elections. Special *municipal* elections shall be held on the date provided for by the ordinance calling the same, and if followed by a supplementary election, such supplementary election shall be held four weeks thereafter.

If any general municipal election for *mayor or* aldermen *or both* is held at any date other than the last Tuesday in February, the supplementary municipal election following the same shall be held four weeks after the date of such general municipal election.

Sec. 6. The candidates receiving a majority of the votes cast for *mayor or* aldermen at any general or special election shall be declared elected. In the event that no candidate receives a majority of such votes a supplementary election shall be held at the time prescribed in the preceding section. At such supplementary election the names of the candidates receiving the highest and second highest number of votes at the preceding general or special election and no others shall be placed on the official ballot: *Provided, however,* that if there be any candidate who, under the provisions of this section would have been entitled to a place on the ballot at the supplementary election except for the fact that some other candidate received an equal number of votes, then all such candidates receiving such equal number of votes shall have their names printed on the ballot as candidates at such succeeding supplementary election. The candidate receiving the highest number of votes at such supplementary election shall be declared elected. Such supplementary election shall be deemed a special election under the election and ballot laws in force in the city of Chicago and shall be governed thereby except in so far as such laws are inconsistent with the provisions of this Act.

Sec. 7. All nominations for *mayor and* aldermen shall be by petition. All petitions for nominations of candidates *for aldermen* shall be signed by such a

3 number of legal voters as will aggregate not less than two per cent and not
 4 more than five per cent of all the votes cast for aldermen in such ward at the last
 5 preceding general *municipal* election. *All petitioners for the nomination of can-*
 6 *didates for mayor shall be signed by not less than five thousand (5,000) legal*
 7 *voters of the city.* All such petitions, and procedure with respect thereto, shall
 8 conform in other respects to the provisions of the election and ballot laws then
 9 in force in the city of Chicago concerning the nomination of independent candi-
 10 dates for public office by petition. The method of nomination herein provided
 11 is exclusive of and replaces all other methods heretofore provided by law.

Sec. 8. Any candidate for *mayor or alderman* under the provisions of this
 2 Act may withdraw his name as a candidate by filing with the board of election
 3 commissioners of the city of Chicago not later than 20 days before the holding
 4 of the election his written request signed by him and duly acknowledged before
 5 an officer qualified to take acknowledgments of deeds, whereupon his name shall
 6 not be printed as a candidate upon the official ballot.

7 If any candidate at an election who was not elected as provided for herein,
 8 but who shall have received sufficient votes to entitle him to a place on the
 9 official ballot at the ensuing supplementary election shall die or withdraw his
 10 candidacy before such supplementary election, the name of the candidate who
 11 shall receive the next highest number of votes shall be printed on the ballot in
 12 lieu of the name of the candidate who shall have died or withdrawn his
 13 candidacy.

Sec. 9. Ballots to be used at any general, supplementary or special elec-
 2 tion held under the provisions of this Act, in addition to other requirements of
 3 law, shall conform to the following requirements:

4 (1) At the top of the ballots shall be printed in capital letters the words
 5 designating the ballot. If a general *municipal* election the words shall be 'Offi-
 6 cial *Municipal Election* ballot'; if a supplementary election the designating

7 words shall be 'Official Supplementary *Municipal* Election Ballot'; if a special
8 *municipal* election, the words shall be 'Special *Municipal* Election Ballot.'

9 (2) Beginning not less than one inch below such designating words and
10 extending across the face of the ballot, the title of each office to be filled shall
11 be printed in capital letters.

12 (3) The names of candidates for *the same office but for* different terms of
13 service therein (if any there be), shall be arranged and printed in groups ac-
14 cording to the length of such terms.

15 (4) Immediately below the title of each office or group heading indicating
16 the term of office, shall be printed in small letters the directions to voters,
17 'Vote for one.'

18 (5) Following thereupon shall be printed the names of the candidates for
19 such office according to the title and the term thereof and below the name of each
20 candidate shall be printed his place of residence, stating the street and number
21 (if any). The names of candidates shall be printed in capital letters not less
22 than one-eighth nor more than one-quarter of an inch in height, and immedi-
23 ately at the left of the name of each candidate shall be printed a square, the
24 sides of which shall not be less than one-quarter of an inch in length. The names
25 of all the candidates for each office shall be printed in a column and arranged
26 in the order hereinafter designated; all the names of candidates shall be
27 printed in uniform type; the places of residence of such candidates shall be
28 printed in uniform type; and squares upon said ballots shall be of uniform size;
29 and spaces between the names of the candidates for the same office shall be of
30 uniform size.

31 (6) Said ballots shall be prepared in as many series as there are candi-
32 dates in the group in which there are the most names; the ballots of the first
33 series shall contain all the names of the candidates for each group to be filled,
34 one immediately following the other in alphabetical order according to their
35 surnames; the ballots of the second series shall be like those of the first series,
36 and the names of the candidates in the second series shall be arranged in the

37 same order as those of the first series, except that the name appearing first in
 38 the list of candidates for each group in said first series shall, in said second
 39 series, be printed after all the other names in the list of candidates for such
 40 group; the ballots of the third series shall be like those of the second series, and
 41 the names of the candidates in the third series shall be arranged in the same
 42 order as those of the second series, except that the name first appearing in the
 43 list of candidates for each group in said second series shall, in said third series,
 44 be printed after all the other names in the list of candidates for such group;
 45 and so on successively, the name at the top of any list of candidates for each
 46 group in any series being placed at the bottom of the respective lists of candi-
 47 dates for such group in each succeeding series, and the name next to the top
 48 name in any list of candidates for each group being successively advanced to the
 49 top of the list of any succeeding series, until the name of each candidate for
 50 each group shall appear at the head of the list of candidates for such group.

Sec. 11. No party name, party initial, party circle, platform, principle,

2 appellation or distinguishing mark of any kind shall be printed upon any elec-
 3 tion ballot used at any election held under the provisions of this Act.

4 If any party primary election or any election for any office other than *mayor*
 5 *or alderman* shall be held at the same time with any *such* election, the ballots
 6 for *mayor or alderman or both* shall be separate from all other ballots, except
 7 that any question of public policy not required by law to be submitted on a
 8 separate ballot from that containing names of persons to be voted for may be
 9 submitted in the manner provided by law upon the same ballot as that used for
 10 *the election, provided for in this Act*. Provided, that the polls shall be opened
 11 and closed for *any such municipal* election at the same time as is provided for
 12 the opening and closing of any party primary election for any office other than
 13 *mayor or alderman* held at the same time.

Sec. 12. Any candidate for *mayor or alderman* under the terms of this

2 Act may appoint in writing over his signature not more than one represen-

3 tative for each place of voting, who shall have the right to act as challenger and
4 watcher for such candidate at any election at which his name is being voted
5 upon. Such challenger and watcher shall have the same powers and privileges
6 as a challenger and watcher under the election laws of this State applicable to
7 Chicago. No political party shall have the right to keep any challenger or
8 watcher at any polling place at any election held under the provisions of this
9 Act unless candidates for some office other than *mayor or alderman* are to be
10 voted for at the same time.

Sec. 13. No certificate of election shall be given to any candidate who shall
2 be declared elected at any general or *special municipal* election until after the
3 date fixed by this Act for the holding of the supplementary election herein
4 provided for.

5 *In case any candidate at any general or special election desires to contest the*
6 *results of such election held under Section 6 of this part, in order to establish a*
7 *right to have his name appear upon the ballot in a supplementary election, such*
8 *candidate may file with the clerk of the County Court a petition in writing setting*
9 *forth the grounds of contest, which petition shall be verified by the affidavit of*
10 *the petitioner or other person, and shall be filed within five (5) days after the*
11 *completion of the canvass of the returns. The contestant shall also file with*
12 *the canvassing board, which canvasses the returns of such general or special*
13 *election, a notice of the pendency of the contest.*

14 *Jurisdiction is hereby vested in the county court or in the judge thereof in*
15 *vacation, to hear and determine such contest. When a petition of contest is*
16 *filed in the office of the clerk of the court, said petition shall forthwith be pre-*
17 *sented to the judge thereof who shall note thereon the date of presentation, and*
18 *also note thereon the day when he will hear the same, (which shall not be more*
19 *than five days thereafter), and shall order issuance of summons to each defend-*
20 *ant named in the petition.*

21 *Summons shall forthwith issue to each defendant named in the petition and*
22 *shall be served in the same manner as is provided in cases in chancery. Sum-*

mons may be issued and served in any county in the State. The case may be heard and determined by the county court in term time, or by the judge thereof in vacation, at any time not less than three (3) days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for all costs.

If in the opinion of the court, the grounds for contest alleged are insufficient in law, the petition shall be dismissed. If the grounds alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots, and make such orders and enter such judgment as justice may require. The court shall ascertain and declare by a decree, as in chancery to be entered of record, the result of such election in the territorial area for which the contest is made. The judgment of the court shall be final. A certified copy of said decree shall forthwith be made by the clerk of the court and transmitted to the board canvassing the returns for such office. The canvassing board shall correct the returns in accordance with said decree.

Sec. 2. This Act shall not be in force in the city of Chicago until the question of its adoption shall first have been submitted to the legal voters of the city of Chicago and approved by a majority of those voting thereon.

The question of the adoption of this Act by the city of Chicago shall be submitted to such legal voters at the first general, municipal, or special election in and for the entire city to be held after the passage of this Act, or before that time at a special election to be called by the city council by ordinance.

If this Act shall fail to be adopted at the election aforesaid by a majority of the legal voters of the city of Chicago voting thereon, the city council of the city of Chicago may by ordinance direct that the question of the adoption of this Act again be submitted to such legal voters at any general, municipal or special election in and for the entire city to be held not less than thirty days from and after the passage of such ordinance. The city clerk of the city of

14 Chicago shall promptly certify the passage of such ordinance to the board of
15 election commissioners of the city of Chicago and it shall thereupon be the
16 duty of said board of election commissioners to submit the question of the
17 adoption of this Act to such legal voters at such election.

18 If this Act shall fail to be adopted at the election referred to in paragraph
19 two of this section by a majority of the legal voters voting thereon, the question
20 of the adoption of this Act may also again be submitted to the legal voters of
21 the city of Chicago at any general, municipal or special election in and for the
22 entire city to be held not less than forty days from and after the filing of the
23 petition hereinafter provided for, in the following manner: A petition signed
24 by five thousand (5,000) legal voters of the city, demanding the submission of
25 the question of the adoption of this Act, may be filed with said board of election
26 commissioners and it shall thereupon be the duty of said board of election com-
27 missioners to submit the question of the adoption of this Act to such legal voters
28 at the election specified in said petition.

29 If this Act shall fail to be adopted at any time at which it is submitted under
30 the requirements of this section, by a majority of the legal voters of the city of
31 Chicago voting thereon, then it may be resubmitted from time to time by ordi-
32 nance or petition as above provided.

33 The said board of election commissioners shall give notice of any election
34 provided for in this section by publishing a notice thereof, not less than twenty
35 days prior to such election, in at least one newspaper of general circulation
36 published in the city of Chicago.

37 The ballot to be used at such election shall be in substantially the following
38 form:

For the adoption of an Act to amend an Act entitled, “An Act to provide for the incorporation of cities and vil- lages,” so as to provide for nonpartisan elections for mayor as well as for aldermen in the City of Chicago, and for the election of the city clerk and treasurer by the city council.	Yes	
	No	

39 If a majority of such legal voters of the city of Chicago, voting thereon at
40 any such election, shall vote for the adoption of this Act, it shall thereby and
41 thereupon be adopted.



- 1 Introduced by Mr. Flack, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 14 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 14 of "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, as amended, is amended to read as follows:

Sec. 14. The fees of the clerk of the circuit court in counties of the first and second class shall be paid in advance, except as herein provided, and shall be as follows:

For each judgment by confession in vacation or in term time, \$5.00.

In each case of appeal from or petition for a writ of certiorari to a justice of the peace or any court of record and in each case of a change of venue from a court of record, \$5.00.

8 In each case of transcript of a judgment from a justice of the peace or a
9 court of record for the purpose of creating a lien, including one execution, \$5.00.

10 In each case for the exercise of eminent domain, \$20.00; and also \$10.00
11 for each and every lot or tract of land or right or interest therein subject to
12 be condemned, the damages in respect to which shall require separate assess-
13 ments by the jury.

14 In each other civil action at common law, \$10.00.

15 In each cause in chancery for divorce or separate maintenance, including
16 injunctions, \$8.00.

17 In each suit for partition, \$15.00.

18 In each other chancery case, \$10.00.

19 In each criminal case, but not in advance, \$5.00.

20 In each petition for a writ of habeas corpus, \$5.00.

21 If any cause shall be remanded to the circuit court from the supreme court
22 or appellate court, the clerk shall be entitled to the same fee before the filing
23 of the remanding order and the reinstatting of the cause as if it were the
24 commencement of a new suit.

25 For issuing each execution after the first, \$1.00.

26 For issuing a procedendo, 25c.

27 For each record of proceedings and judgment or decree, whether on appeal,
28 error or change of venue, certified copies of orders and decrees, and all other
29 instruments, 20c for each one hundred words.

30 For comparing a bill of exceptions or a certificate of evidence, 3c for each
31 one hundred words.

32 For recording decrees, reports of a master, receivers, trustees, commis-
33 sioners or a commissioner, or other like officers, 15c for each 100 words: *Pro-*
34 *vided, however,* there shall be no charge for recording the first 1,500 words of
35 any decree.

36 In all cases except criminal cases wherein the same are dismissed or set-
37 tled without trial at the term to which process is made returnable, one-half the
38 fees provided in foregoing shall be refunded.

39 For taking deposition and certifying and sealing the same, 15c for each
40 one hundred words.

41 For taking the acknowledgment of a deed or other instrument in writing
42 with seal, 25c.

43 Any person desiring to bring a suit or to file papers upon an appeal or
44 certiorari or change of venue, as a poor person, shall first file a motion for
45 leave to do so, supported by an affidavit describing in detail all property, real
46 and personal, which he owns. Such motion shall be heard by the court in term
47 time or by a judge thereof in vacation, or by a master in chancery if no judge
48 be present in the county, and the proposed plaintiff may be orally examined
49 under oath, and if such court, judge or master finds that said proposed plaintiff
50 is a poor person and unable to prosecute such suit and to pay the costs and
51 expenses thereof, an order shall be entered permitting him to begin and prose-
52 cute such suit without paying in advance the fee herein specified therefor. Such
53 order shall be subject to review in term time on motion. If the defendant shall
54 settle or compromise such suit, or pay or deliver to plaintiff or his counsel any
55 money or valuable thing because of such suit, without causing such fee to be
56 paid to the clerk of the court, the court may enter an order that the defendant
57 pay such fee, and the same shall be collected from the defendant upon a fee
58 bill to be issued by the clerk to the sheriff therefor.

59 The fees of the clerk of the circuit court when he is also ex-officio recorder
60 of deeds of his county, shall be paid in advance, and shall be as follows:

61 For recording each deed or other instrument in writing, 15c for each one
62 hundred words.

63 Each certificate by such recorder of the recording of the deed or other
64 writing and of the date of recording the same signed by such clerk and ex-
65 officio recorder shall be sufficient evidence of the recording thereof, and for
66 such certificate, including the indexing of the record, the fee shall be 25c.

67 For a certified copy of a record, the same fee as for recording.

68 “For entering each tract in entry book of conveyances, in counties of the
69 first class, 10c, and counties of the second class, \$5c; and for entering each tract
70 of land or town lot made in any one deed above five, in the entry book, 5c, in
71 counties of the first and second class.”

72 For recording every city, town, or assessor's plat, for each lot or tract of
73 land included in said plat, 10c, when the number of lots does not exceed twenty,
74 and for each additional lot, 5c, and for the certificates attached thereto the same
75 fee as for recording other instruments.

76 For each attestation of a release or an assignment of an instrument on the
77 margin of the record thereof and for indexing the same in the book kept for
78 that purpose, 25c *for the first tract, 10c for one additional tract, after the first*
79 *tract, and 5c for each additional tract thereafter, as described in the instrument.*



- 1 Introduced by Mr. Bippus, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend Section 40 of an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended by an Act approved June 26, 1913, and in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That Section 40 of an Act entitled, "An
3 Act concerning land titles," approved and in force May 1, 1897, as amended by
4 an Act approved June 26, 1913, and in force July 1, 1913, be and the same is
5 hereby amended to read as follows:

Sec. 40. The registered owner of any estate or interest in land brought
2 under this Act shall, except in cases of fraud to which he is a party, or of the
3 person through whom he claims without valuable consideration paid in good
4 faith, hold the same subject only to such estate, mortgages, liens, charges and
5 interests as may be noted in the last certificate of title in the registrar's office
6 and free from all others except:

7 (1) Any subsisting lease or agreement for a lease for a period not exceed-
8 ing five years, where there is actual occupation of the land under the lease. The
9 term lease shall include a verbal letting.

10 (2) *Any tax or special assessment for which a sale of the land has not*
11 *been had at the date of the certificate of title.*

12 (3) Such right of appeal, writ of error, right to appear and contest the
13 application, and action or to make counterclaim as is allowed by this act.

14 *All tax certificates purchased by any county, city, township or other munic-*
15 *ipal corporation that are unredeemed, all unredeemed tax forfeitures, and all*
16 *unpaid confirmed special taxes or assessments, shall be entered without charge*
17 *as memorials upon the register of titles by the registrar of titles when filed*
18 *with the registrar, or at the time of registering any transfer of any property*
19 *affected thereby, or at any time of the entry upon the register of titles of any*
20 *memorial relating to the same property. The search for unpaid general taxes,*
21 *uncancelled tax sales (when the tax certificates have been issued to any county,*
22 *city, township or other municipal corporation), unredeemed forfeitures and un-*
23 *paid confirmed special taxes or assessments, shall be made by the registrar of*
24 *titles free of charge.*

 Sec. 2. Whereas an emergency exists, this Act shall take effect from and
2 after its passage.



- 1 Introduced by Mr. Rew, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to direct the Department of Public Works and Buildings to furnish crushed limestone to residents of the State who are engaged in agricultural operations, and to acquire and operate necessary grinders, crushers, and other equipment for that purpose, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Department of Public Works and
3 Buildings shall acquire, by purchase or otherwise, such grinders, crushers and
4 other equipment as may be necessary for crushing limestone as herein pro-
5 vided. Such grinders, crushers and other equipment shall be located or installed
6 at some point within Pope, Johnson, Hardin, Union, Massac and Pulaski
7 Counties, and shall be used by the said Department for the crushing of lime-
8 stone for residents of such counties engaged in agricultural operations. The
9 necessary limestone may be acquired by the Department and the crushed product
10 sold, or limestone furnished by such persons may be crushed. No charges in
11 excess of the actual cost of such limestone and for the crushing thereof shall

12 be made. Plants to be located in most convenient places consistent with quality
13 of limestone.

Sec. 2. For the purpose of carrying out the provisions of this Act, the
2 sum of of sixty thousand dollars is appropriated to the Department of Public
3 Works and Buildings.

Sec. 3. The appropriation herein made is subject to the provisions of "An
2 Act in relation to State finance," approved June 10, 1919, in force July 1, 1919.



- 1 Introduced by Mr. Frisch, April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in relation to the registration of the theft and recovery of motor vehicles.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby created in the office of
3 the Secretary of State a bureau for the registration of the theft and recovery
4 of motor vehicles.
5 The Secretary of State shall provide therefor suitable office furniture,
6 blanks, stationery, printed matters and other office supplies.

Sec. 2. Each superintendent, chief of police or other police officer in com-
2 mand of any police department in any city, village or town of the State, shall
3 forward to the office of the Secretary of State, on appropriate blanks to be
4 furnished by the said Secretary of State, within 24 hours after the theft or
5 recovery of any stolen or abandoned motor vehicle within the district, a com-
6 plete report of the theft or recovery of said stolen or abandoned motor vehicle,
7 giving a full description of the vehicle, including the name of the vehicle, fac-

8 tory number, motor number, type, motive power, number of cylinders, horse-
9 power; model; make, size and numbers of tires; State license number, City license
10 number, location of City license number on vehicle, where vehicle was pur-
11 chased, whether new, second-hand or rebuilt at the time of purchase; color of
12 body of vehicle, color of stripe on body of vehicle, color of wheels; make and
13 kind of speedometer, number of miles registered; where stolen, whether or not
14 car was locked at the time of the theft, giving name of lock if a special device,
15 name and address of witness, if any; whether or not theft was reported to the
16 police, and, if so, when; also any other special marks or identification and
17 extra equipment, together with the name, residence, business address and tele-
18 phone number of the owner of the car.

Sec. 3. There shall be kept in said bureau a complete record of all reports
2 as required by Section 2 of this Act. Upon receipt of such report a careful
3 check shall be made of the records in said bureau, and where it is found that a
4 car reported recovered was stolen in a city, village or town other than the city,
5 village or town in which it is recovered, the said bureau shall at once notify the
6 the superintendent, chief of police or other police officer in command of the
7 police department of the city, village or town in which the car was originally
8 reported stolen, giving complete data as to the time and place of recovery.

Sec. 4. The said bureau shall publish weekly a bulletin giving full descrip-
2 tion of all motor vehicles reported stolen and recovered during the previous
3 week, one of which bulletins shall be mailed to each superintendent, chief of
4 police or police officer in command of any police department in any city, vil-
5 lage or town of the State.



- 1 Introduced by Mr. Watson (by request), April 13, 1921.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend Section 2 of "An Act to amend an Act entitled, 'An Act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent,' " approved April 30, 1873, in force July 1, 1873, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Section 2 of "An Act to amend an Act entitled, 'An Act to exempt the homestead from forced sale, and to provide for setting off the same, and to exempt certain personal property from attachment and sale on execution, and from distress for rent,' " approved April 30, 1873, in force July 1, 1873, as amended, is amended to read as follows:

Sec. 2. Such exemption shall continue after the death of such householder, for the benefit of the husband or wife surviving, so long as he or she continues to occupy such homestead and of the children until the youngest child becomes twenty-one years of age; and if there are children who are idiots or imbeciles,

5 *or are permanently disabled, such exemption shall continue for such children*
6 *until their disability is removed.* In case the husband or wife shall desert his
7 or her family, the exemption shall continue in favor of the one occupying the
8 premises as a resident.



- 1 Introduced by Committee on Elections (Sub. for H. B. 484), April 14, 1921.
- 2 Read at large a first time, ordered printed and to a second reading.

A BILL

For an Act to amend Sections 117 and 118 of "An Act in regard to elections, and to provide for filling vacancies in elective offices", approved April 3, 1872, in force July 1, 1872, as amended.

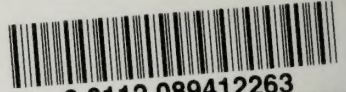
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: Sections 117 and 118 of "An Act in re-*
3 *gard to elections, and to provide for filling vacancies in elective offices", ap-*
4 *proved April 3, 1873, in force July 1, 1873, are amended to read as follows:*

Sec. 117. *In the case of all constitutional amendments or other public meas-*
2 *ures or subjects submitted to the voters of this State, and of all public measures*
3 *or subjects submitted to the voters of any city, village, incorporated town,*
4 *county, sanitary district or any other municipal corporation, or any subdivi-*
5 *sion of the State, any five electors of the State, or of the city, village, incorpo-*
6 *rated town, county, sanitary district or other municipal corporation, or subdivi-*
7 *sion of the State, may contest the results of any such election by filing a writ-*
8 *ten statement in the circuit or superior court within thirty days after the result*

9 of the election shall have been determined, in like form as in other cases of con-
 10 tested elections in the circuit court. Such city, village, incorporated town, coun-
 11 ty, sanitary district or other municipal corporation or subdivision of the State
 12 shall be made defendant and process shall be served as in suits against such
 13 city, village, incorporated town, county, sanitary district or other municipal cor-
 14 poration or subdivision of the State; and like proceedings shall be had as in
 15 other cases of contested elections before such court. Where the contest relates
 16 to a constitutional amendment or other public measure or subject submitted to
 17 the voters of the State, the statement of contest shall not specify any defendant,
 18 but notice of the contest be filed with the Attorney General who may appear and
 19 take such steps as he shall deem proper with respect to such contest; the con-
 20 test may be heard and determined at any time not less than ten days after notice
 21 to the Attorney general as herein provided, and like proceedings as nearly as
 22 may be shall be had as in other cases of contested elections before such court.

Sec. 118. In case of any contest under Section 117 of this Act, the court
 2 shall allow any one or more electors of such State, city, village, incorporated
 3 town, sanitary district, county, or other municipal corporation, or subdivision of
 4 the State to appear and intervene in such proceedings for the purpose of partici-
 5 pating in the prosecution or defense of the same. In case the judgment of the
 6 court shall be contrary to the contentions advanced by such interveners, the
 7 court may in its discretion tax against such interveners the cost of such proceed-
 8 ings or such portion thereof as to the court shall seem proper.

UNIVERSITY OF ILLINOIS-URBANA
Q. 328.773 BIH C002 v.52:325-650(19
House bills [introduced in the] General



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